

**Presentation to Parliamentary Portfolio Committee on  
International Relations and Cooperation**  
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*16 November 2011 - Cape Town Lodge Hotel, Cape Town*

Chairperson and members of the portfolio committee, members of the diplomatic corps, ladies and gentlemen.

The reason that this symposium is taking place, and the reason for much of the global attention on the Palestinian question in the past few months, is the United Nations membership bid by the Palestine Liberation Organization (PLO). In that regard, then, the bid has achieved at least one of its objectives. Indeed, so successful has it been in terms of this objective that the sixty-sixth session of the United Nations General Assembly will be known by most people only for the bid and the discussion about Palestinian statehood. Much of the attention however, has been on the United States and Israel's opposition to it. The bid itself has not been uncontroversial among Palestinians and my focus in this presentation is on how Palestinians have responded to it.

However, the appeal to the UN was much more than just about good public relations, newspaper inches or television minutes. What exactly prompted it is open to some debate. According to some of our sources within the Palestinian Authority (PA), it was an expression of frustration at the stalled negotiations process between Israel and the PA, and an attempt to “do something” at a time when the PA found itself in a quagmire not able to “do anything”.

The PA argued that a successful bid would 1) help focus attention on the plight of the Palestinian people, and 2) allow the “State of Palestine” to, as a full member of the UN, participate in the structures of the world body and be able to raise its concerns in all of these. Many other Palestinians, however, have argued that the bid was a mistake and could, in fact, have negative consequences for the Palestinian people.

Salah Salah, a member of the Palestinian National Council and PLO head for refugee affairs, recently described the issue of statehood as “one of the deceptions the Palestinian national movement has faced”. He also questioned the wisdom of the UN bid which everyone knew, he claimed, was doomed to failure. There was other, more detailed opposition from Palestinian civil society organisations. In the main, the opposition was based on the arguments below.

1. Undermining the role of the PLO. Currently, the Palestinian seat at the UN – the seat of an

“observer entity” – is held by the PLO, which is recognised by the UN as the sole legitimate representative of the Palestinian people. The PLO is regarded as representing all Palestinians – in the Occupied Palestinian Territory, in Israel as well as Palestinian refugees. If the current bid was to succeed, that seat would have to be given up by the PLO in favour of a seat for the Palestinian state, as the Palestinian people clearly cannot have two UN seats. Thus, the PLO will be bypassed, but the UN seat will be held by an entity that is supposedly subsidiary to the PLO.

2. Concern about the rights of refugees. The “Palestinian state” will represent only Palestinians in the OPT – its “citizens” – and not those outside of it. This leaves especially Palestinian refugees without any representation at the UN, undermines their rights, and could see the issue of their right of return excluded from the UN agenda.
3. No change on the ground. A successful UN bid will not result in any change on the ground. The occupation will continue in the same brutal fashion that it has in the past; there will be no change in terms of territorial control (the Israelis will continue controlling Palestinian territory as they currently do); there will no recognition of a “Palestinian state” by Israel; and Israel will see Palestinian UN membership as no hindrance to the continuation of its project of building settlements and the wall in the West Bank.

These concerns, of course, are relevant if the bid were to succeed. But we know it will not succeed. If the matter is to be voted on in the UN Security Council, South Africa – as it should – and five other countries are certain to vote in its favour. The bid will not, however, receive the requisite nine votes for it to pass in the SC. Nigeria, Gabon and Bosnia-Herzegovina already recognise Palestine as a state, but none of them will support the bid in the SC.

Riad Malki, the PA foreign minister, recently made it clear that the PA has accepted that its bid will fail in the SC and is now looking at alternative options – the most likely of which is to pursue “observer state” status, like the Vatican has, through the General Assembly. Such a status poses the same problems as those listed above.

There are other implications and concerns which still apply when the bid fails. These are:

1. The US has threatened that if the PA went ahead with the bid, Congress would cut funding to that body. It has already done so with disastrous consequences for the PA’s financial situation and its ability to service the Palestinian people.
2. Israel has already started withholding Palestinian taxes, customs duties and so forth which

legitimately belong to the PA, but Israel has indicated it will not release these funds and will continue blocking them from reaching the PA.

3. Israel will become even more intransigent than it had been prior to the bid. Also, a failed bid will show up the PA as being weak and entirely reliant on Israel and the US, thus putting Israel in a stronger position in any negotiations or process of engagement. This is particularly the case when we consider the extreme right wing and anti-Palestinian government that Israel currently has.
4. As the US prepares for presidential elections, the Palestinians can expect no ease from that quarter. No US presidential candidate will risk upsetting the Israeli lobby in Washington before an election.

These repercussions – some of which have already occurred – for the PA have effectively spelt the end of the “peace process” as we know it. The possibility that the Israelis will actually return to negotiations on the same basis as previously – as unbalanced as it was – is very slim indeed. (And if they do, it will only be if the Palestinian side will be severely disadvantaged.) It is just as slim a chance that the US will attempt to move the process ahead on the same basis as before. This also means that, as a result of the effects of the membership bid, President Mahmoud Abbas, his Fatah party and the PLO are effectively being displaced from the centre stage of Palestinian politics – for Palestinians, for the international community, as well as for Israel and the US.

Azzam Al-Ahmad, a senior Fatah member and close to Abbas, categorically said in an interview published earlier this week in *Al-Quds Al-Arabi* categorically that the PA was collapsing. He emphasised that it was not being dismantled but was collapsing. He attributed this phenomenon mainly to three reasons:

- ✦ the undermining and thus failure of “the peace process”;
- ✦ the ongoing occupation of the West Bank; and
- ✦ Israeli “theft” of Palestinian funds (referring to Palestinian taxes and customs duties being held by Israel).

The implosion of the PA is in spite of the fact that the PA has been – since the signing of the Oslo Accord – the agent to which the occupation has been outsourced by Israel and the US. A good indication of the success – from the Israeli perspective – of this outsourcing has been the security cooperation between Israel and the PA that has resulted in the crushing of all armed resistance in the West Bank (including Fatah’s own Al-Aqsa Martyrs’ Brigades), and the arrests of a large number of Palestinian activists who

opposed the PA and the way the negotiations process was unfolding.

The UN membership bid, then, will have effects which will be much more far-reaching than its architects had conceived or considered. Indeed, it spells the end of an era and the beginning of a new era.

Of course, it is not only for the Palestinians that the global, regional and national contexts are rapidly changing; the Israelis also face the challenge of dealing with contexts that have transformed radically from just a year ago. Despite its strident rhetoric, enhanced *hasbara* (propaganda) initiatives, and a government which has survived fairly unitedly for two-and-half years, Israel faces a number of uncertainties and difficulties. One might not think that this is the case if one were to remember Israeli Prime Minister Binyamin Netanyahu berating and scolding US President Barack Obama in the White House. (Although this was, perhaps, more a reflection of Obama's weakness than of Obama's strength. Let us look at some of these challenges.

The democratisation of the region, the countries around Israel, poses serious problems for Israel despite its proclaimed support of democracy and its claim in the past of it being "the only democracy in the Middle East" (a claim which can be interrogated at another time). The most striking example of this is the situation in Egypt where the new military leadership has already adopted tougher stances against Israel, and where, just recently, the Israeli ambassador and his staff were forced to flee Cairo in the face of attacks on the embassy by anti-Zionist protesters. Or Jordan where, again, protesters forced the Israeli ambassador to flee. Another example is the uncertainty in Syria. If Asad's regime were to fall – although I do not believe this will be the case – the uncertainty of what would happen in Syria and who will take over the reigns of power are serious concerns for Israel.

Furthermore, Israel has also been contending – in the recent past – with increasing internal dissent from Jewish Israelis. The tent protest that started in July is just one example of this. There is also the increasingly growing refusenik movement and an increase in the number of young Jews trying to find whatever way they can to avoid military service. In a country where a large section of the army is made up of conscripts, this can be extremely worrying.

The recent loss of Israel's staunchest ally in the region – Turkey – is another matter of grave concern and an indication of a new situation that Israelis have to contend with. The change in the balance of power among Palestinian groups and the general shift in Palestinian politics also makes dealing with the Palestinian people living under its occupation more difficult for Israel.

Therefore, from the perspective of the Palestinian people as well as from the perspective of Israelis, the future cannot continue along the same trajectory as the past has been.

On the Palestinian front, as the PA-Fatah declines in importance and support, the main rising political actors are 1) the Islamist Hamas; and 2) an increasingly confident Palestinian civil society buoyed by recent successes in its global boycotts, divestment and sanctions (BDS) campaign. These will be the actors that South Africa will need to respond to and engage with as it reviews its policy regarding the Palestinian question.

As the Middle East and North Africa uprisings played out across the region over the past eleven months, the Islamists of the Muslim Brotherhood and its associated organisations have increasingly come to the fore. The Brotherhood is, perhaps, most well-known in its Egyptian incarnation but exists in some form or another across the region. While the different national organisations that call themselves “Ikhwan al-Muslimoon” (Muslim Brothers) are not part of a single organisation, they are ideologically close and network with each other on a regular basis – especially since the beginning of 2011.

As the results of the MENA uprisings slowly unfold, we see that the Brotherhood and its related organisations have begun to take centre stage in various countries. Tunisia’s Islamist party, Ennahda, won 42 percent of the vote in the country’s recent constituent assembly election, and the Egyptian Brotherhood is poised to win the majority of the parliamentary seats that they will contest, of which they are deliberately contesting only 50 percent. As a result of the writing being on the wall, various western and regional powers have reviewed their policy on the Brotherhood. This new attitude – based on a pragmatism about the emerging centres of power in the MENA region – has also been extended to the Palestinian equivalent of the Brotherhood – Hamas. The US has begun talks with Hamas in the past few months; the Europeans had been beating a path to Hamas’ Damascus offices even before the uprisings. The king of Jordan has developed a *toenadering* with the Jordanian Brotherhood. Further, an official invitation has been extended to Hamas leader Khalid Mesh’al by Jordan for a visit. And the Jordanian prime minister has publicly said that shutting down Hamas’ operations in the kingdom in 1999 was “a mistake”. About the only country in the region that does not want to talk to the Brotherhood is Syria. But Syria hosts Hamas’ headquarters in Damascus.

Although I have no evidence for this, I would be very surprised if the Israelis were not also seeking, if not already having, back-channel discussions with Hamas. After all, it is clear to Israel that Hamas is rising in the Palestinian and international arenas, and that Mahmoud Abbas and the PA-Fatah are declining. I would think that Israel would be silly not to be talking to Hamas at this stage in the game;

and one thing we know about Israelis is that they are not silly.

Thus, within the context of emerging powers in the region, the legitimacy of Islamists in the Muslim Brotherhood mould – including Hamas – is increasing. The Israeli-Hamas deal that saw the release of hundreds of Palestinians and Israeli soldier Gilad Shalit should also be seen within this context: rapidly tying up a deal that had been repeatedly delayed at a time when Israel and the US were marginalising the PA and Fatah because of the UN bid. The attempt by various global players, then, is to project the region's Islamists as the new “moderates” or the new mainstream.

Palestinian civil society has long been dominated by those aligned to particular political factions, mainly Fatah, the Popular Front for the Liberation of Palestine, Democratic Front for the Liberation of Palestine and the (Communist) People's Party. Over the past few years that has been changing, and even though many of the founders and heads of NGOs and other civil society groups might have their political allegiances, their organisations are more politically independent than previously. In the current conjuncture, two important factors are buoying Palestinian civil society organisations: 1) the weakness of the PA (which often had the tendency to attempt to interfere in civil society organisations), and 2) the successes of their BDS campaign on the global stage. Thus, this sector of Palestinian society is expected increasingly to become an important political player.

In the context of these rapidly-changing developments, how should the South African government respond and ensure that it remains relevant in the “new Middle East”? I want to make two preliminary comments before discussing this. First, South Africa is increasingly being seen by people in the Middle East, North Africa and the Muslim world as becoming irrelevant to affairs of that region. There are various reasons for this. It is important that South Africa increases its visibility in the region, re-establishes itself as an actor of consequence, and makes it known that it is willing to contribute to a movement towards democracy and justice – even with its limited capacity and resources. Second, I do not want to talk about the UN membership bid in this section. We know that, were the matter be put to a vote in the UN Security Council or General Assembly, South Africa will support it. That will be the course of action that will be consistent with South Africa's political position and one that is supported by legal opinion obtained by the Department of International Relations and Cooperation. How can South Africa not vote for it when, in Tshwane, there is a building with a plaque saying “Embassy of the State of Palestine”? South Africa has already recognised a Palestinian state and will thus support its membership bid at the UN (for that's all it is, a bid for membership, not for statehood). Despite my earlier critique of the bid, I and others critical of the bid must accept that the choice South Africa will be presented at the UN will be to 1) vote with the Palestinians, or 2) vote against the Palestinians and on the side of an intransigent Israel and a bullying United States. Parliament and the South African

government need to look beyond the UN bid to see how South Africa can play an effective role moving into the future.

The government and the African National Congress should be congratulated for disabusing themselves of the notion that South Africa can play a mediating role between Israel and the Palestinians. It was a well-intentioned but fanciful notion that was destined not to achieve anything except to give Israel and the Zionist lobby in South Africa a stick to beat the government with. Thus, in that period when the South African government felt it could play such a mediating role, whenever the government or the ANC issued a statement or made a comment critical of Israel, they were told such comment was not helpful to South Africa's mediating role. All the while, of course, Israel was never going to accept such a role by South Africa. Why should it when it has the world's only superpower firmly supporting it – even in actions that are in violation of international law.

South Africa's new focus, then, must be on the Palestinian people rather than on Israelis and Palestinians. This is a historic task inherited by the ANC, the liberation movement more broadly, and Black people in general in South Africa. It is also the way in which South Africa can again make itself relevant to the Middle Eastern situation, and actually contribute to progress and peace in the region. In this regard, South Africa should focus on two aspects:

1. helping to develop, strengthen and maintain Palestinian unity; and
2. assisting in whatever way possible with the reform of the PLO and with the holding of elections for the Palestinian National Council – both goals which almost all Palestinian factions have publicly committed themselves to.

I should add here that this does not imply ignoring Israel. South Africa should be prepared to listen to what Israel has to say, and assist Israel if necessary and if Israel is willing to make progress in defusing the crisis it has created – as long as the South African government and South African foreign policy do not become hamstrung as a result. It must be noted that the current Israeli government, that South Africa will have to deal with, is an extremist right wing and illiberal government. Among its recent actions that indicate this nature are curbs on free speech among its citizens – Palestinian and Israeli Jews, severe restrictions on Israeli NGOs, and with even more severe restrictions on civil society activities in the pipeline. As the world continues to demand moderation from Palestinians, moderation should be demanded of the Israeli government and Israeli society too.

In general, this approach requires that South Africa sees itself as a friend of the Palestinian people rather than as a friend of any particular faction within Palestinian society. And, secondly, that South Africa premises all its policies on the Palestinian-Israeli issue on international law and remains seized with the pursuit of international law. Our foreign policy vision on the Middle East must be a value-

based, interest-driven one that follows a multilateral / multi-polar approach.

In terms of the above two aspects, South Africa should see itself following the international trend in terms of its relationships with the political and social forces in the MENA region and among Palestinians, and needs to position itself within the broader legitimisation of the Muslim Brotherhood-moderate Islamist trend. Hence, in the Palestinian case, South Africa must remain equidistant from all political factions, and be particularly attuned to the voice of Hamas and the moderate Islamist voice. The global demonisation of this political tendency over the past few years has been unhelpful, and South Africa cannot afford – in terms of broader objectives in the region – to repeat such demonisation.

It is necessary that we position ourselves alongside our strategic partners – such as Turkey – on a moderate / middle-path where our objectives and approaches coincide. This would obviate the perception of South Africa acting unilaterally, and would prevent us from taking on a greater burden than we can bear. Even at the cost of harsh responses – and we know where such responses to the South African government have and will come from – we must maintain an independent foreign policy with regards to the MENA states and uprisings in general, and the Palestinian situation in particular.

In the context of the Palestinian-Israeli issue, South Africa must develop a (to borrow a now-somewhat-discredited term) “zero-conflicts policy” with regards to Fatah, Hamas, other Palestinian factions, Palestinian civil society, and Israel. This cannot prevent us, of course, from being vociferous against violations of international law and justice by any of these parties. Such a policy will stand us in good stead in the region as we try to navigate and circumvent religious, political and sectarian divides that have strongly shown themselves in certain countries in the past few months.

Ultimately, of course, South Africa sees a future for the Palestinian-Israeli situation that is a negotiated settlement, based on international law, providing just solutions on all the “final status issues”. Israel is clearly not willing to engage in dialogue about these issues – despite their mantra in the past few months about the importance of dialogue, but for South Africa these are the issues that must be discussed and implemented. I hesitate to say these issues should be negotiated, because we cannot allow international law to be “negotiated” on a case-by-case basis, allowing stronger parties to win and ride rough-shod over it.

Allow me to focus briefly on the first aspect of the theme of this symposium – “lessons from South Africa’s negotiations experience”. I originally did not want to deal with this because such a discussion is entirely ill-timed. Israelis and Palestinians are nowhere near where South Africa was in 1990. Thus,



comparing talks between these two parties to our CODESA or other negotiations processes between 1990 and 1994 is disingenuous and serves only to detract from real issues between Palestinians and Israelis. Nevertheless, since Israelis and Zionists in South Africa continually refer to the South African negotiations process in order to justify their opposition to the UN bid and to Palestinian resistance, I will make a few brief points about lessons from our negotiations.

1. In the South African case, there were preconditions set before talks could begin. All, however, were preconditions that related to the levelling of the playing field between the representatives of the oppressed / liberation movements. Thus, the preconditions that were accepted by the parties were, for example, those set out in the 1989 Harare Declaration agreed on by the Organisation of African Unity (OAU) ad hoc committee on Southern Africa on the question of South Africa: release of all political prisoners and detainees unconditionally; lifting of bans and restrictions on proscribed and restricted organisations and people; removal of troops from the townships; an end of the state of emergency; repeal of legislation designed to circumscribe political activity; and an end to political executions.
2. The regime also attempted to impose preconditions on the liberation movement; these were mostly rejected and were not regarded as necessary in order to create a suitable climate for negotiations.
3. Among the preconditions that the regime wanted to set was the suspension of the armed struggle. The liberation movement – the ANC, Pan Africanist Congress, and Black Consciousness Movement of Azania which all had military wings – refused. The ANC and PAC suspended their armed struggle only after negotiations had gotten under way, and the decisions were unilateral ones, not responses to the regime's demands.
4. Thus, our experience teaches us that the liberation movement must regard negotiations as another terrain of struggle, one that does not supersede others and one that should not require the termination or suspension of others – especially the armed struggle and mass mobilisation. Remember Operation Vula?
5. Like the Israelis, the apartheid South African government also demanded an end to violence from the side of the liberation movement in order for talks to proceed. Like the Israelis, the South African apartheid government made the demand without any offer that it would end state violence or that it would give up its massive amounts of weapons and armaments.

6. The notion that talks can only happen when violence stops is not borne out by our experience. Indeed, more people were killed in political violence in South Africa during the 1990-1994 negotiations period than the whole of the rest of the apartheid era!

These are some of the lessons of the South African negotiations process. When the time is right, it might be useful for Palestinians and Israelis to refer to this experience, and these lessons might be useful for them. The time is not yet right, however, and the Palestinian need for unity and for a national movement is currently stronger than the need to discuss negotiations.

*16 November 2011*