

Committee Report

on a Proposal for a Parliamentary Resolution on the recognition of the independence and sovereignty of Palestine.

Delivered by the minority of the Foreign Affairs Committee.

This proposal [parliamentary item 31] proposes that Iceland recognizes Palestine as an independent and sovereign state within the borders as of before the Six Day War of 1967. The Minority supports a two-state solution but makes numerous objections on the timing of this proposal, its grounding, approach and one-sided presentation.

Althingi has in recent years supported the right of self-determination and an independent state of the Palestinians. Althingi, led by the Independence Party, adopted in 1989 Resolution No 19/111 (see Parliamentary item No 102, 111th Legislative Session) where Israeli authorities were urged to prevent the killing of defenceless civilians and urged to observe the UN Declaration of Human Rights and the 4th Geneva Convention on the protection of civilian population in time of war. Althingi noted the necessity for both parties to avoid acts of violence, demonstrate a true willingness to settle disputes and recognize their mutual rights in accordance with UN resolution No 181 of 29 November 1947 that, together with Security Council Resolutions No 242 of 1967 and No 338 of 1973, forms the basis for a durable peace and security in the Middle East. Althingi has for 22 years been of the view that friendly relations should be maintained with the Palestinian Liberation Organization, the PLO. Althingi, led by the Independence Party, adopted another resolution, No 25/127 of 2002 (see Parliamentary item No 734, 127th Legislative Session), where it was demanded that all acts of violence would cease, including suicide attacks and application of military force, that Israel withdrew her troops from the territories of the Palestinian National Authority, that the conflicting parties would conclude a cease-fire and commence peace negotiations relating to an independent state of the Palestinians and Israel's security within her internationally recognized borders, in conformity with Security Council resolutions. Althingi referred to former resolutions while declaring that the nations of the world should promote a process where Israelis and Palestinians would resolve their disputes on the basis of international law and UN resolutions.

The importance of taking into consideration the perspectives of both conflicting parties has always been emphasized by Althingi. Althingi has adopted resolutions visioning that two states might co-exist peacefully side by side in the territory in question. This very vision has also been promulgated by the Quartet as well as, in fact, all the parties that/who have been involved with the peace negotiations in the region. The main goal of that approach has been to take those steps considered most likely to achieve permanent peace in the region. Iceland previously applied this same approach when the State of Israel was established. Until now, that is the manner in which Althingi has adopted its resolutions.

In the explanatory memorandum to the proposal, there is a reference to the democratic developments taking place in this part of the world in the wake of the so-called Arab Spring. The Minority wholeheartedly applauds these important democratic milestones that have been obtained in recent months, but concludes that it is, at this stage, too early to make general assertions regarding the overall progress of democracy in the Middle East. Democratic

elections have only taken place in Tunisia and Morocco and the general situation is widely unstable. The events in Egypt in the last few days may be mentioned in that context, where civilians now oppose the military junta that assumed power following the events earlier this year. The implementation of the Egyptian general elections which will take place within the next few days remains a concern at this point. It is the opinion of the Minority that the general situation in other countries in the region is different from that of Palestine where a particular peace process has been negotiated with the aim of accomplishing the so-called two-state solution.

The Minority believes that the supporters of this proposal have not given enough consideration as to how Icelanders could promote peace in that region. The conviction of the Majority of the Committee of how the recognition of the independence and sovereignty of the State of Palestine would bring better prospects for peace into the region has been significantly lacking. The Minority asks how the ratification of this proposal will adapt to the Oslo Accords, where it was eminently agreed upon that the disputed borders would not be altered. The Accords specifically provided for that neither party would take any actions that might put the negotiations in jeopardy or alter its character. This must be taken into account. For these reasons the Minority concludes that the proposal in question is premature and submitted in a unilateral manner where a balance has not been maintained, neither between the disputing parties nor with regards to history, as well as the continuum, which has characterized the position of Iceland and her neighbouring countries, has been broken.

The Minority points out that no research has been conducted on what possible effects a general recognition of the independence and sovereignty of Palestine might have on the actual peace negotiations between the Palestinians and the Israelis. The intended benefit of the recognition might turn out to be the opposite. The reason being the dispute between Fatah on the West Bank and Hamas in Gaza, as there is not one, but two governments in Palestine. The factions do not necessarily have common interests at heart, as they are fundamentally different in character, one being a recognized terrorist organization that has conducted attacks and acts of violence against Israel, while the other is favoured by the United Nations, as confirmed by a UN resolution. The Minister for Foreign Affairs stated, during the proposal's debate, that he could not guarantee that the factions would cooperate, but he said that he hoped that the negotiations between the two would lead to a conclusion that would not cause any fear in this matter. This assessment by the Minister seems to be the primary argument for the submission of this case. The Minister's assessment is at the same time in conflict with the opinion of almost all the countries that have worked hardest to promote peace in the region.

There are strong indications that the conflicts in the Middle East, dating from the historical UN resolution No 181 of 1947 to the present day, are connected to the mere existence of the State of Israel. The Arab States in the region have been reluctant to recognize an independent state of Israel. The leaders of Iran, for example, have gone as far as to declare that Israel should be annihilated from the face of the earth. The Hamas leadership, the current authorities in Gaza, have also expressed similar views. Ideologically, the permanent existence of Israel has been contrary to Hamas' interest, as is thus the prospects of peace. It should be mentioned, in this context, that the Palestinian Liberation Organization (PLO), has not yet been willing to acknowledge the rights of Jews to their own state. Mahmoud Abbas, the Chairman of the Palestinian National Authority, recently stated at the Parliamentary Assembly of the Council of Europe that it was extremely difficult for Palestine to recognize a Jewish state. This is of great importance. The UN Resolution 181 of 1947 provided for the partition of Palestine into two separate and independent states, a Jewish state and an Arab state. When deliberating the proposal in the Committee no reference was made to the potential actions of Hamas as a result of the potential declaration of Palestine as an independent state, whether the group was likely to adopt a more peaceful approach than before and whether the current authorities were likely

to be able to secure a strong enough authority to ensure a peaceful settlement with these forces.

It is also important to point out what part the Israelis have played in bringing about the current state of affairs. The Israeli occupation of Palestinian territories has for a long while been far too excessive, by which the occupied have been deliberately provoked. The Minority objects to this conduct, which has only delayed the peace negotiations and harmed the willingness of the contracting party to join in further negotiations. The leaders of Iceland's neighbouring countries are among those who have criticized Israel's conduct, including the British Prime Minister, who in July 2010 declared that Israel's siege has turned the Gaza Strip into a prison camp. That is a terrible description, but the Minority points to Althingi's previous resolutions and demands that human rights be respected. Not least with reference to this situation, it is important to proceed cautiously and take each step on the stage of international politics with caution.

Recognition and the position of other states has much been discussed by the Committee. In the explanatory memorandum to the proposal, there is a particular reference to the precedent given by Iceland's recognition of the independence of the Baltic states in 1991. The Minority absolutely rejects this comparison as that was a case of reclaiming independence.

It is mentioned in the explanatory memorandum to the proposal that 8 NATO members and 9 EU members support the independence and sovereignty of Palestine. It would have been more appropriate to mention that a large majority, or 19 EU members and 21 NATO members, have not recognized the independence and sovereignty of Palestine. The balance would have been better preserved by carefully explaining why these countries have come to the conclusion that recognition of independence under the current circumstance is not the optimal position for the furtherance of the Peace Process. The Minority especially points out that the recognitions referred to above were submitted in 1988, under the shadow of the Cold War, and should above all be considered in the context of the countries' position behind the Iron Curtain and with regards to the political frontiers of the Cold War. We see a different picture today when looking at the countries in question and how they treat this historical recognition today. It is worth mentioning the recent voting on the admittance of Palestine to the UN Educational, Scientific and Cultural Organisation, UNESCO. There it turned out that 6 EU members and 7 NATO members that had previously recognized the independence and sovereignty of Palestine could not support the admission of the same country. Palestine, even if they had the same country. Nevertheless, the historical recognition of these countries is submitted as a justification by the Minister for Foreign Affairs as these countries are indeed our allies. The Minority is of the opinion that these countries' present foreign policy implementation should rather be considered. The precedents seem to be outdated and these countries are left with historical recognitions that are *inter alia* inherited from the Cold War era.

The international community has approached this matter by taking preference to ensuring peace before independence could be recognized as a result thereof. The position of the Quartet, that has been in the forefront of the peace negotiations in recent times, is in compliance with this. The Quartet has recently released a statement for decisive steps for 2012 on how this objective could be reached that year by concluding the peace negotiations with an agreement. It may additionally be noted that the European Union has, in so far as it has a common foreign policy, not agreed to support the independence and sovereignty of Palestine at this point. That must be taken into consideration.

The Minority considers it important to note that countries, such as Norway, which has been one of the most active parties to the solution of this dispute, have not been willing to take the very step this proposal assumes Iceland should. These countries have clear arguments. The main emphasis is on supporting the Peace Process and that certain conditions shall be met

before recognition can be given: that the peace negotiations have produced conclusive results, that Palestine adheres to UN plans as defined by its resolutions, that they are the basis for the founding of the state, that the country would respect the UN Charter and declarations of human rights and that the Palestinians are ready to deal with tasks and duties resulting from being a sovereign and an independent state with a solid infrastructure. These nations have also noted the importance of declarations by the Palestinian leaders of their intentions to honour and guard the basic values of democracy and human rights in the same way as the leaders of Israel did at the establishment of the State of Israel. Important matters have thus emerged regarding the policies of our neighbouring countries and are the main parties to this matter.

While Icelanders come to a conclusion on this important matter on their own terms, it is also wise to observe the position of other countries and study on what basis their position is taken. Aforementioned components should be taken into consideration by the Icelandic authorities and be established as a criterion or a condition for reaching the conclusion the Minister for Foreign Affairs considers the obvious choice to make. The large project – the establishment of an independent state of Palestine, conciliation on the existence of the State of Israel and peace in the region – has been a joint mission of the international community for over half a century, and still is. Strong arguments are for supporting and adhering to the emphasis made by the countries that have been in the forefront of the Peace Process. No one can avoid doing this with full integrity.

The Minority emphasises that the objective has to be promoting peace at the battlefields of the Arab-Israeli Conflict. It must be assessed what reasons our friends and neighbours have for not being ready to proceed as far as is assumed in the proposal of the Minister for Foreign Affairs. Could it be that they have doubts that a recognition would lead to peace? Would the Icelandic authorities consider issuing conditions as the Norwegians have done? Could the recognition of Palestine as an independent and sovereign state by several countries, at this point, upset the Peace Process and possibly lead to war?

The Minority has significant reservations to the submitted proposal but reiterates its support for a two-state solution.

Althingi, 28 November 2011.

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