

The Wye River Memorandum and Its Implications for the Peace Process

The *Wye River Memorandum* breathed new life into the political process conducted between Israel and the Palestinians, and reawakened hopes for the resumption of negotiations aimed at reaching a peace agreement between the two sides. Among broad segments of the Israeli public, the memorandum was perceived as a visible manifestation of the ideology of peace fostered by the late Prime Minister Yitzchak Rabin. To them, the agreement represented a further step on the road toward a permanent settlement with the Palestinians, one that would bring an end to the Israeli-Arab conflict.

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However, a careful analysis of the memorandum clearly indicates that although the two sides have indeed arrived at a new point of departure, the terms of the agreement conceal threats to the short-term durability of the process while they contain the seeds of crises sufficiently serious to deteriorate Israeli-Palestinian relations into violent conflict. Practically speaking, the document signed in Washington does little to solve the problems separating the parties, and only mutual compliance with its stipulations, together with progress on the political front, can return the peace process to its rightful course.

Short-Term Prospects — Implementation

According to the agreement, the Israel Defence Forces (IDF) are to undergo a phased withdrawal over a period of 12 weeks. The withdrawal is contingent upon Palestinian fulfilment of the conditions delineated within the body of the memorandum, whose progress will be overseen by the US. An objective review of the situation reveals the obvious advantages to be gained by the Palestinians from their compliance, i.e., Israel's withdrawal and the extension of Palestinian control over 40% of the West Bank. Nevertheless, questions have been raised

regarding the Palestinian capacity to fulfil their obligations, and the Israeli Government's intentions regarding the fulfilment of their own obligations, including the possibility that Israel may halt the process immediately after its initial and partial implementation. After all, the ink of the signatures had hardly dried before the parties began suspecting each other of deceit, an attitude awakening doubts about whether the agreement will be executed in full at the close of the 12-week period.

One of the issues that soon became a bone of contention threatening the agreement is the issue of the Palestinian *Covenant*. The text of the memorandum does not specify comprehensive annulment of the covenant, contrary to the position taken by Israel's Cabinet Secretary, Danny Naveh; it does not even require ratification of the letter sent by Arafat to Clinton, detailing the cancelled articles, by a two-thirds majority of the Palestinian National Council. Despite the wording of this item in the agreement, it could be perceived and presented as an Israeli achievement, meant to serve the interests of the general public, rather than part of the propaganda war waged by the Israeli right.

With respect to Israel, the preferable position should be that of a public and popularly accepted statement, made in the presence of the elected Legislative Council and other organisations directly representing the people with whom Israel is making peace, as stipulated in the agreement. Instead, Israel is now demanding a legal procedure bereft of meaning, involving irrelevant Palestinian participants, enemies of Arafat, Israel, and the peace process, meant to ratify a decision already been taken more than two years ago.

Regarding the withdrawal of IDF forces from 13% from Area C, this item does not, in effect, represent a significant change in terms of Israeli security. The majority of the territories to be transferred to Palestinian control are unpopulated and, accordingly, cannot be utilised as "terrorist bases" or "urban sanctuaries." Palestinian control of these territories will, however, permit urban and industrial development for the benefit of the overcrowded Palestinian population as well as prevent, somewhat, the spread of Israeli settlements.

However, Israeli non-compliance with the terms of the complete withdrawal and, to a degree, unilateral actions taken by Israeli settlers could engender, forthwith, a scenario of only pinpointed actions against Palestinian threats and, in tandem, a decline in Palestinian motivation to act against the Hamas infrastructure. Therefore, the correlation between Israeli compliance and Palestinian readiness to forcefully and decisively act within its towns, villages, and refugee camps should be made explicit.

Mid- and Long-Term Prospects — Basic Issues

The main problem with the present agreement is riveted in the fact that the understandings reached do not touch upon two pivotal issues to be resolved in the not-too-distant future: the third "beat" and the end of the interim period, slated for 4 May 1999.

Even if we accept the assumption that both sides will honour the present agreement, the significant gap between their positions with respect to the third redeployment will eventually convert that event into another point of contention. Israel's unilateral announcement that the last beat would cover withdrawal from only 1% of the West Bank is not only absent from the *Wye Memorandum*, it is completely unacceptable to the Palestinians. Even if it becomes apparent that the Palestinians are again willing to retreat from their unrealistic demand of an Israeli redeployment of 30%, their demand for a beat in the range of at least 6.5% (half of the first two beats) will be favourably received by the rest of the world.

The 4 May 1999 date, on which the interim period expires, is a particularly problematic issue, one that beclouds the future of the peace process. Arriving at this date without a clear agreement specifying the formal relations to be maintained between the Palestinian Authority and the State of Israel would create a political, legal, security, and economic vacuum, to cite just some of the dimensions involved. This vacuum could, quite probably, provoke a string of unilateral actions that would culminate in a fierce confrontation between the two sides. One of the solutions to the problem entails mutual agreement concerning fulfilment of the third beat, extension of the period covered by the *Interim Agreement* until January 2001, and Israel's prior consent to the establishment of a Palestinian state, within predetermined borders, at the end of the interim period.

Looking toward the long-term future, the two sides now find themselves at the preliminary stage of the discussions leading toward the final status agreement, due to be completed three months after implementation of the *Wye Memorandum*. In reality, the parties have yet to begin seriously discussing the weighty, sensitive issues requiring resolution: Jerusalem, borders, refugees, the settlements, water, and security. Under current conditions, the prospects for reaching an agreement that will bridge the gap between the minimum the Palestinians are willing to accept and the maximum that the Israeli Government is ready to offer, approach zero.

Conclusion

Despite the success of the Wye summit, the impediments to the continuation of the peace process are real and ominous. Only Israel's willingness to comply with the terms of the agreement for the sake of increasing mutual trust and creating a positive framework for entry into negotiations toward a final status agreement, in addition to a change in its political orientation, on the one hand, and the Palestinians' continued commitment to the idea of reaching an historic peace combined with a total assault against terrorism on the other, will bring the promise of peace closer.