Panel Five: Middle East: Resolving Conflict Through Diplomacy

Dr. **Zartman.** We will begin our afternoon session and talking about the application of the OSCE model to the Middle East, and we'll begin with remarks by Congressman Cardin from Maryland, who's a member of the Helsinki Commission.

Mr. **Cardin.** Thank you, Bill. Thank you very much. It really is a pleasure to be here. I apologize to the other panelists. We expect to have a vote called in the next few moments. As you know, we're having a bit of a trouble keeping government operating. I checked this morning to see whether I was considered nonessential personnel. I thought that being a member of the minority party, I wouldn't have to come to work today. Unfortunately I found that my services were required.

Thank you all for participating in this discussion. I think it is extremely important. I really do enjoy my service on the Helsinki Commission. I serve on the Commission on Security and Cooperation in Europe, the Congressional representative of the Organization for Security and Cooperation in Europe. I have been a commissioner for a little over 2 years. However, I have worked with the Commission ever since I was elected to Congress in 1987. I have found my work on the Commission to be one of the most satisfying as a member of Congress. I have had the chance to travel to some of the most difficult places in Europe. I have offered hope to people who thought their voices could never be heard in the democratic process. We have brought about change.

As I think most of you know, the Helsinki process was started in 1975. It was started as a post-World War II mechanism for communication among the European states on security, economic, and human rights issues.

I doubt the framers of the Final Act could predict how far reaching is the work of the Helsinki Commission. Although called the Final Act, in reality, it was the beginning. It was the beginning of meaningful dialogs and communications between member states. I will never forget one of my first meetings with representatives from the Soviet Union on human rights issues. We were talking about the emigration of Soviet citizens to other countries. A representative from the Soviet Union said, "You Americans have this fad about human rights. When is it going to go away?" Well, it didn't go away. We were persistent and we caused change in a peaceful way. Each state has the opportunity to learn from the participation of other states.

I am a believer in the Helsinki process. I think the Helsinki process has worked more successfully than any of us had envisioned when it was created in 1975.

My most recent visit to Israel, a few days ago, was to attend the funeral for Prime Minister Rabin. The world has lost a giant in the peace process. The death of Mr. Rabin not only shocked the people of Israel, but was felt by all who have worked on the peace process in the Middle East. It will be a tragic loss to the peace process, but I must tell you that the Israelis today are more united than I have ever seen them in their quest for peace. Perhaps the story of the Rabin funeral is the people who were in attendance. Israel has finally arrived on the diplomatic scene as a full partner. The presence by the Arab leaders at the funeral, and the comments made by King Hussein particularly, told the world that we will have peace in the Middle East, border recognition will occur. We will be able to work out the territorial disputes among the states in the Middle East. Signing a peace agreement is just the beginning. The problems will be coexistence and progress. How will the states in that region get along with each other? How will they work out their economic issues? How will they work out their security issues? How will

they work out their human rights issues? These are deep questions that are going to take many, many years in order to be fully answered.

My trip to Israel prior to my trip for the funeral of Mr. Rabin was a personal trip that I took a year and a half ago with my family. I took the opportunity to do two formal meetings during that trip, one with Mr. Peres, and one with representatives from the Palestinians. In each meeting, we talked about the CSCME process. I inquired as to the interests of the Palestinians and the Israelis to move forward on the creation of a Helsinki process in the Middle East. I was very encouraged by the conversations that I had with both Mr. Peres and the representatives of the Palestinians. Both said unequivocally that they wanted this process to move forward. Both said unequivocally that they supported the establishment of the process. And I asked Peres, "Look, you're going to be a minority among the member states. Are you concerned that there will be many Arab states and obviously only one Jewish state?" Mr. Peres responded that he welcomed dialog and the opportunity for communication. As long as Israel had a place at the table where she was respected as a full partner in the process, he was confident that the process would lead to progress, not only for Israel, but for the Middle East. The Palestinians, likewise, felt that direct dialog among the member states was exactly what was needed in the Middle East. I am very encouraged by those discussions.

The Helsinki process has worked in Europe. The Helsinki process would be very beneficial to the Middle East. I encourage us to look for ways to make this work. We must have more dialog among the member states. It is absolutely critical, for it to work, to have the active participation of the United States, and also Russia, and other European superpowers. In constructing the Middle East model, let us make sure that it promotes direct discussions among the states in the Middle East. But let us also establish legitimacy by gathering support from the major powers that have made the Helsinki process so successful in Europe.

I look forward to the results of your discussions. I can assure you that I will be reading your comments and your suggestions. This is an excellent panel. We need to have more of these discussions. I hope that in the not-too-distant future we can implement such a process. Let me turn the discussion back to Professor Zartman and thank him for his leadership and encourage you in your work.

Mr. **Zartman.** Thank you, Congressman. [Applause] And vote well.

Our next speaker on the panel is Alan Makovsky, who is a senior fellow at the Washington Institute for Near East Policy. I won't go into long biographies, because you have the biography sheet here, but we're glad to have you with us.

Mr. **Makovsky.** Thank you. My pleasure.

Well, first of all let me say that I'm flattered to be included on this panel in the company of some people, some of whom are here and some didn't show up actually who have made real contributions to Middle Eastern scholarship and diplomacy and upon whose work I've drawn in my years as a State Department official and my current role as an analyst and critic from outside the government.

I'd like to make two general sets of remarks regarding the Middle East relationship to OSCE and Middle Eastern progress toward regional cooperation. Then I'd like to make a recommendation or two as time allows, and offer a brief concluding thought—perhaps counterintuitively—on the applicability of the Middle Eastern experience to OSCE.

First, the topic of this conference, the relevance of OSCE—can everyone hear me? In the back? OK?

First of all the topic of this conference, the relevance of OSCE and its principles to non-European regions, has special meaning for the Middle East. Probably no region has been closer to Europe's CSCE process than the Middle East. First of all, because of Europe's proximity to the Middle East, Middle Eastern states, at least some of them, have received special attention from Europe within the context of the CSCE process. The 1975 Helsinki Final Act contains what is called a "Mediterranean Chapter" that suggests that there is a link between European security and Mediterranean security, and it underscores the importance of good relations among all Mediterranean states; that is, Middle Eastern as well as European states on the Mediterranean littoral.

This was followed by the 1979 Valletta meeting of experts on the Mediterranean, sponsored by CSCE, again part of the CSCE process, in which Israel, Egypt and Syria participated, as well as the CSCE states. Since that time CSCE has sponsored several meetings specifically devoted to the Mediterranean and to relations between Europe and the Mediterranean.

Thus, some Middle Eastern states have already been intimately involved in the CSCE process for several years. These states (currently there are five of them who are actively participating—Algeria, Egypt, Israel, Morocco, and Tunisia) attend many OSCE meetings and events and are known formally as "non-participating Meditteranean states," or NPMS for short. There are also "non-participating" states from other regions in the OSCE process, I believe, Japan and Korea, for example. But the Middle East has more "non-participating states" in OSCE than any other region.

Some of these NPMS states have already accepted the ten principles of the Helsinki Final Act. At various points in the process Libya, Syria and Lebanon have also been invited and have participated, but they don't seem to be currently involved, and although I've not been able to find a clear explanation of why that is the case, perhaps someone here knows and can offer the reason. My sense is that since the Madrid peace process started in late 1991, these states have come to look at involvement in regional fora that involve Israel in a totally different light. Whereas before they were willing to participate much as they do in the United Nations, let's say, as individual states that sometimes happen to be in the same room as Israel, since Madrid most regional fora in which Israel is involved are looked at by Syria, Lebanon, and Libya as some recognition of Israel, which they are not willing to extend. Nevertheless, through association with OSCE several core Middle Eastern states are well acquainted through direct experience with the mechanics, benefits, and limitations of the OSCE process.

On the same topic, another word about the relationship of the Middle East and OSCE. I believe that the Middle East is probably the only region in which actual treaty obligations formally bind parties—in this case, Israel and Jordan—to support development of OSCE principles and structures for application to the Middle East.

Allow me to quote from the Israel-Jordan peace treaty of October 1994, Article IV, Section I. "Both parties, acknowledging that mutual understanding and cooperation in security-related matters will form a signification part of their relations and will further enhance the security of the region, take upon themselves to base their security relations on mutual trust, advancement of joint interests and cooperation and to aim toward a regional framework of partnership in peace. Towards that goal the parties recognize the achievements of the European Community and European Union"—that's how it's

phrased—"in the development of the Conference on Security and Cooperation in Europe (CSCE) and commit themselves to the creation in the Middle East of a Conference on Security and Cooperation in the Middle East (CSCME)."

Similarly inspired by the need to find regional solutions to complex problems, Section VII of that same article, Article IV, commits the parties to "undertake to work as a matter of priority and as soon as possible ... (for) the creation in the Middle East of a region free from hostile alliances and coalitions, (and) the creation of a Middle East free from weapons of mass destruction, both conventional and non-conventional."

So, the possibilities of OSCE type arrangements and the spirit behind them are well known to many Middle Eastern states.

Point two regarding progress of the Middle East toward regional cooperation: with little fanfare, a nascent CSCE-like process is already evolving in the Middle East. Since January 1992, just 3 months after the Madrid conference that kicked off the Middle East peace process, Israel, the Palestinians and some 13 Arab states have been meeting to discuss projects and issues of region-wide concern. This dimension of the peace process, known as the multilateral process—to distinguish it from the bilateral negotiations that engage Israel and its immediate neighbors—this multilateral process consists of five working groups. The work of these groups is, of course, hampered by the absence of Syria and Lebanon, which insist that they will not join the multilateral process until unspecified "significant progress"—quote, unquote—which is the way the Syrians say it, occurs in the bilateral tracks.

However, what is significant about the process is this: as I mentioned there in addition to the Palestinians, there are 13 Arab states. Now this means that there are Jordan and Egypt, which have peace treaties with Israel, so nothing surprising there that they would be meeting with Israel to talk about regional issues; Palestinians, which do not yet have a peace treaty, but have a framework for a peace agreement with Israel, nothing surprising in their talking with Israel; Morocco has low-level, very low-level relations with Israel. So again perhaps nothing surprising. But the other ten Arab states that participate in this process actively with Israel have no diplomatic relations whatsoever with Israel. And thus the multilaterals have been a forum for informal and formal contact between Israel and a series of Arab states with whom Israel would have had no other possibility of natural contact. And when Representative Cardin referred to Prime Minister Rabin's funeral and the attendance there, yes, in fact this was an accomplishment, in a sense of the multilateral process, because in addition to President Mubarak and King Hussein, again representing states that already have relations with Israel, there were five other Arab league member states present there whose contact with Israel has come virtually exclusively through the multilateral process.

In addition, I should mention that the multilateral process involves five different working groups. In a sense you could almost group these according to the three-basket structure of CSCE. If you want to call it a security basket, there's a working group on Arms Control and Regional Security. If you want to see an economic basket, there are three relevant working groups: one on environment, one on water, and one called regional economic development. As for the human dimension basket, there's a refugee working group. As an overall coordinating body, there's the multilateral Steering Group that consists of the core Middle Eastern parties, plus peace process cosponsors the United States and Russia, as well as Japan and the EU. Although it's not called CSCME—that is, "Con-

ference on Security and Cooperation in the Middle East"—you can see the outlines of a structure similar to CSCE's.

There's also rapidly developing a second track of multilateral meetings, negotiations, and institutions in the Middle East. These are loosely—but not, in all cases, formally—linked to the multilateral process. Among the examples of this are the Middle East/North Africa Economic Summits held last year in Casa Blanca, Morocco, last month in Amman, Jordan, and slated for Cairo in 1996 and for Qatar in 1997—which shows that there is a planned continuity. Like the multilaterals, the same 13 Arab states, Israel, the Palestinians, as well as Americans, Canadians, Japanese and Europeans participate at both the governmental and private sector levels.

Yet another element of this informal parallel multilateral track—perhaps we could call it a multilateral track with a lower case "m" as opposed to the five working groups I mentioned, which might be called a multilateral track with an upper case "M". Another element later this month, I believe it's November 28th and 29th in Barcelona, Spain, the EU will sponsor a conference on development in the Mediterranean. It will deal with social, political and economic issues. The Gulf states are not involved, but Israel plus all of the Arab states (excluding Libya) on the Mediterranean rim are involved.

And what makes it particularly interesting is that Syria and Lebanon have agreed to participate. I understand that the pre-conference work on drafting a communique is not made particularly easier by the presence of both Syria and Israel, and I understand they're still working away at that, but nevertheless, Syria will be there. This is the value, I should say, of a second, informal track of multilaterals. Syria didn't want to be, wouldn't be, part of the formal multilateral track that was first conceived and blessed at the Madrid peace conference of October 1991 and really started in January 1992. But because the EU's Barcelona conference is not part of the formal multilateral process, Syria was convinced to come along. This is an important first, I believe—the Syrian and Lebanese presence along with that of Israel.

The Middle East/North African Economic Summits have spawned ideas for several new regional institutions that are now in the works: a regional Middle East development bank, a regional businessman's group, a regional tourism board. In Amman, a secretariat will be set up as a monitoring committee for the Regional Economic Development Working Group to coordinate all the various regional cooperative projects sponsored by that working group.

I know the multiplicity of these groups is confusing. What I'm trying to get across is simply that there is a process of institutional evolution, as well as widespread Israeli-Arab regional contact, already very much underway.

Over the past 5 years many eminent individuals have advocated the establishment of a "CSCME," that is, a Conference on Security and Cooperation in the Middle East. These include, among the earliest advocates, the former co-chairmen of the U.S. Helsinki Commission, Senator DeConcini and Congressman Hoyer, and Jordanian Crown Prince Hassan.

In October 1993 this body held a conference in which former Israeli Foreign Minister Abba Eban praised the idea of CSCME. I believe Professor Zartman was also on that panel and spoke highly of the idea. Egyptian ambassador Ahmed Maher al-Sayyid also spoke to the importance of dialog, human dimension, and regional cooperation at that conference.

Last year, following Representative Cardin's visit to Israel, as he mentioned in his introduction, Israeli Foreign Minister Shimon Peres began to speak out frequently and eloquently on behalf of the CSCME idea, which was then enshrined, as I mentioned, in the Israel-Jordan peace treaty, and also, by the way, endorsed by the state of Turkey.

In some respects the origin of this CSCME idea may date back to then Italian Foreign Minister Gianni De Michelis' 1989 proposal—considered at the time variously utopian, visionary and/or wacky—for a Conference on Security and Cooperation in the Mediterranean, or "CSCM."

It is ironic then that the notion, or to be more specific, the name CSCME has aroused opposition in much of the Middle East, apparently even from most of the states that participate in the multilateral process. Perhaps this is so because many Arab states are concerned that the process of normalization with Israel not be completed until bilateral peace agreements have been reached with Syria and Lebanon, and thus these Arab states fear that the very name CSCME and the attendant OSCE-like institutions would connote too much the idea that participants are as much at peace as are the European participants in OSCE.

Nevertheless, it is clear that the face of regional relations in the Middle East is changing due to multilateral meetings, processes and nascent institutions that are inspired by many of the same concepts that inspired CSCE. Whether those meetings, processes, and institutions are called CSCME, multilaterals, or, in the favourite phrase and book title of Israeli Acting Prime Minister Shimon Peres, "The New Middle East," is probably of very little consequence at this point. If there were ever a case that prompted one to ask what's in a name, this would be it.

At the October, 1993 Helsinki Commission conference on CSCME, to which I referred, Eban then defined the purpose of CSCME as follows. He said, and I quote, "In the Middle East, as with Europe, the key to peace lies in institutionalized regional cooperation. Israel and its neighbors must develop such intensity of cooperation, such mutual accessibility, such freedom of economic and human interaction, such reciprocity of interests, as to put war beyond contingency." This very concept is what underpins the various multilateral efforts now pursued in the Middle East.

Because of some of the obvious differences between the problems of cold war Europe and those of the contemporary Middle East, there are some basic differences between the CSCE approach and that of the Middle East multilaterals. For example, procedurally, CSCE essentially began its work with the Declaration of Common Principles, the Helsinki Final Act, and then has worked forward from that point. The multilaterals, by contrast, have begun with smaller steps, meetings and projects, and are gradually building toward agreement on common principles, but they've not yet reached that point, the difference I think being that in the Middle East much of the dispute has revolved around the very existential issue of Israel's right to exist and be recognized by its neighbors. There was no issue analysis to this in cold war Europe.

Substantively, OSCE puts considerable emphasis on human rights. In contrast, the multilaterals are just beginning to take their first tentative steps on human dimension issues. We can go into that in the discussion if you're interested. Human rights, a vital and deficient area of Middle Eastern experience, should be taken up at a future date. For now, however, it seems to be beyond the bounds of possible discussion for the states that are involved in the multilaterals.

I know my time is running short. What do I have, three or 4 minutes?

Mr. **Zartman.** Two or three.

Mr. **Makovsky.** Two or three? OK.

Mr. Chairman, I have a series of recommendations that I'd like to make about the multilateral process, but I will in the circumstances confine myself perhaps to just one at this point, and perhaps some others may come out during the discussion and question-and-answers.

And that recommendation is this: I feel that the multilateral working groups deserve higher level attention from the peace process cosponsors, particularly the United States. I think they have not really received that attention so far. I am frequently struck by how often intelligent, well-informed people who follow policy issues are virtually oblivious to the fact that these negotiations exist and that Israel is meeting with 13 Arab states on a regular basis.

There has been a certain benefit to that approach until now. Some of the Arab states perhaps did not want their participation publibly highlighted. Indeed, some of the people involved in the multilaterals took pride in calling the multilaterals the "stealth" peace process because they were producing so much good, but yet were so little known. But I think particularly when something as visible as the Arab attendance at Prime Minister Rabin's funeral and the various economic summits have taken place, we're long past the point where the multilaterals need be kept semi-secret. And I think more needs to be done to upgrade the multilaterals, both in the U.S. bureaucracy where they deserve perhaps a special Ambassador, and particularly in public diplomacy.

It is crucial that the Secretary of State, the President and other senior administration officials demonstrate more support, both publicly and through diplomatic channels, and particularly that they be more willing strategically to intercede in the multilateral process when necessary. I think they should also redouble their efforts to try to convince Syria and Lebanon to join the multilaterals.

Lastly, I said that I would have a concluding thought about perhaps the converse of the subject of this panel—by which I mean the relevance of the Middle East's multilateral experience to OSCE. Let me just say that the Middle East multilateral process, so influenced and suffused by the ideas and principles of OSCE, also should be carefully studied for its own unique peacemaking approach and possibilities. CSCE states themselves may have much to learn. The dual-track, bilateral-and-multilateral approach together may offer a useful model that is transferable to other regions with seemingly intractable bilateral disputes similar to the Arab-Israeli dispute. The Caucasus, in particular, comes readily to mind.

And with that I'll conclude. Thank you very much, Mr. Chairman.

Mr. **Zartman.** Thank you. Thank you very much for some very good thoughts.

Our second speaker, or our second speaker on the panel per se, replaces Helena Cobban. Apparently one part of the government that is functioning regularly is the court system, and Helena has been requisitioned for jury duty as I understand, and is replaced by Fatima Ziai, who is from the Human Rights Watch, Middle East. Thanks very much for coming.

Ms. **Ziai.** Thank you.

It's a pleasure for me to be here today. As Professor Zartman said, I'm with the Middle East division of Human Rights Watch, but I also spent almost a year working with

the Helsinki division in Central Asia, so it's interesting for me to be involved in this discussion of the applicability of the CSCE process to the Middle East. I will try to deliver remarks that are adopted from Helena Cobban's paper, and then perhaps interject some additional points.

The Middle East is a vast region, encompassing many countries and different types of government, and a number of distinct cultures and religions. The region has also regrettably been home to many lengthy and violent intercommunal conflicts, of which the dispute between Arab parties and Israel is only one.

The question has frequently been asked whether there is anything intrinsic about the cultures of the many Muslim countries of the region that makes it counterproductive or even impossible to think of including a human rights basket in any OSCE type multilateral process in the region. However, throughout the region individual activists, as well as human rights organizations, are working to publicize and end human rights abuses committed in their countries, and in lands under control of their governments, and have found that many of them face similar situations.

One issue that is common to members of the human rights community in all of the regions, countries, is the question of the relationship between the universal principles of basic human rights, and the fundamentals of their own societies religions.

Helena raises in her talk the example of Israel, where important questions of civil status are still totally controlled by the rabbinate as well as to citizens of countries with predominantly Muslim cultures, and often extremely strong in state-backed religious institutions.

Most of the activists themselves are vociferous in arguing that the essential values of their communities own religions are not in contradiction with the principles of universal human rights. Often they are sophisticated in being able to prove that this is the case, often what one may characterize as a theologically liberal interpretation of their religion's basis texts.

And I just wanted to emphasize here the point that Helena makes about the conflict between universality and the cultural relativists framework for what we consider to be international human rights standards. And I think that this issue, particularly in the Middle East, tends to come up quite frequently because of the predominance of the political religious aspects in the political evolution of the region today.

The thing that's important to note is that the Helsinki accords—the Helsinki Final Act—is explicit in its adherence to the universal notion of human rights. It specifically states that the states will comply, the member states will comply with the Universal Declaration of Human Rights, the U.N. Charter and various international covenants. In the Middle East, as elsewhere in the world, countries have often signed these agreements, and then gone to great lengths to argue why their own differing applications of these standards in their countries actually are not incompatible and are actually in compliance with what are otherwise considered universal human rights standards by presenting them in a culturally relativist framework.

And one recent example of this, which is not related really to OSCE, but I think illustrates the point very well, is the Beijing conference that took place this year where delegates predominantly from Islamic countries and African countries used this argument to try to shape the language of the platform for action that came out of the conference, and this was the consensus document; and finally a consensus was reached. But one of the

aspects of it that was bitterly fought over was the question of whether women should have equitable rights or equal rights with men. The argument that was made by many of these delegates was that in the particular context in their countries equitable rights were really a fair description of rights that would with international standards, whereas in a universal human rights context equal rights would be the minimum. And this theme, I think, increasingly crops up in any discussion of human rights in the Middle East.

In any event, the argument that Helena makes is that at the official level there are very few examples of political leaders who have sought to seek or use—to seek, use, or promote, liberal interpretations of religious text in order to counter religious fundamentalism in their countries and to promote a human rights agenda.

One example that she points out where this has happened is in Jordan where the human rights situation and the status of non-governmental organizations and public democracy have made great strides over the past 15 years, but in most other Middle Eastern countries, including in Israel, the response of governments has too frequently been to appease the religious right in this discussion.

It is deeply regrettable that the major attempt one does see in today's Middle East to build a multi-country, multi-basket approach to building a common future has notably abstained from including human rights concerns anywhere within its purview. This is, of course, the Arab-Israeli peace process that was just discussed, and that was launched at the Madrid conference in October, 1991, and which has made significant progress in the years since then. The Madrid process has from the beginning hopefully sought to expand the dimensions of regional peace-building to include the important topics of economic development, arms control and refugees, but the design of the negotiations has always omitted any mention of human rights concerns, and issues related to the encouragement and protection of democratic norms that have always been such a fundamental part of the Helsinki process.

Bush administration officials who worked on the design of the Madrid process have said that inclusion of human rights and democratic protections was considered only briefly, if at all, by the administration. Certainly from the beginning opposition to this idea was evident on the part of the kingdom of Saudi Arabia, which remains the only state in the region to have withheld even pro forma approval of the Universal Declaration on Human Rights, but which has nevertheless remained a strong regional ally of successive U.S. administrations. But other key participants in the Bush administration's planning, like the governments of Israel and Egypt, also failed to push for human rights concerns to be included in the Madrid negotiation.

The change of government in Israel in 1992 brought into power a government that has made important advances on key issues in regional peace-making, but the labor government has placed no more emphasis than its Likud predecessor on the human rights and democracy protection dimension of peace-building in the region. And though there is also a change of administration here in Washington in early 1993, it is noticeable that the Clinton administration has also, like the Rabin government, kept in place its predecessor's failure to include this dimension of regional peace-building.

The argument is frequently heard from officials in both Washington and Israel that the imperative of resolving the state security level issues in the Middle East is so great that all other considerations, including concerns for fundamental human rights, need to be subordinated to it. When human rights issues have been addressed by these officials at all, they have tended to argue that resolution of the war and peace issues is a nec-

essary precursors to making any progress in the human rights field and will help to bring about such progress.

However, these arguments run counter to the whole experience of the CSCE-OSCE process, which always saw stress on human rights as a necessary concomitant to, rather than a possible afterthought of the traditional agenda of, diplomacy. Nor is the Middle East somehow an exception to the experience of the rest of the world. Indeed, the atmosphere within every one of the region's countries, except Saddam Hussein's Iraq, is considerably more fertile to the growth of NGOs, including in many instances human rights organizations, than were the countries of Soviet dominated Eastern Europe at the time of the CSCE negotiations.

Within the Middle East, however, there is strong evidence that Arab-Israeli peacemaking and a concern for human rights can run successfully hand in hand rather than always being antithetical to each other.

In May, 1983, for example, Secretary of State Schultz succeeded in brokering a traditional style of diplomatic agreement between Israel and Lebanon that fell just short of being a formal peace treaty. But this agreement totally failed to take into account both the sentiments of a large proportion of Lebanese and the evident regional reality of Syrian influence. Lebanese president Amin Gemayel attempted to force endorsements of the May 17th agreement by parliament and his people using the pressures of state repression and the violence of sectarian militia groups with which he was allied to do so. It was little surprise to those who knew Lebanon when Gemayel finally discovered that this attempt to flout both the sensitivities of his own people and the influence of the Syrians was futile. In February, 1984 he bowed to the inevitable, abandoning the agreement he had concluded the previous May, and making a belated peace both with his own people and with Damascus.

Peacemaking between Israel and Jordan has by contrast followed a very different course, for in Jordan King Hussein had pursued a sustained and impressive policy of improving the human rights of his people and their freedom to participate actively in Jordanian political life for many years before he entered the Madrid process in 1991. Then in October 1994 he concluded a formal peace treaty with Israel, which has won support from his parliament and abroad, though not unanimous support from his people.

The success of King Hussein and the failure of Amin Gemayel give lie to the view which has seemed to inform the American and Israeli approaches to peacemaking that it is necessary to overlook human rights and democracy protection concerns to ram through the peace treaties that all the region's peoples need. Indeed, if peace treaties can only be concluded if the contracting parties force them down the throats of their own peoples, then what hope can there be for their success over the longer term.

The disastrous precedence of the effects for Europe and for the world of the Treaty of Versailles brings to mind in the Middle East, as is evident, no peace treaty can be successful unless it is broadly acceptable to the people of Israel. Nevertheless, we too often forget in this country that such treaties can only succeed in the longer term if they're also acceptable to the Arab people's most directly concerned.

Encouraging respectful democratic dialog within each country of the region and across national borders can play an important role in building the atmosphere of compromise, of mutual acceptance and shared concern for the region's future that a successful peace process should engender. Instead, the Bush and Clinton administrations have been

far too forgiving of gross human rights violations by parties to the peace process, such as the governments of Egypt and Israel, and the Palestinian authority. In the case of the Palestinian authority, Vice President Gore even expressed open support for Chairman Arafat's creation of state security courts designed to strip defendants of the basic protections of the rule of law.

The failure to include a human rights basket in the Madrid process is only one aspect of a broader approach by successive U.S. administrations to the Middle East in which concern for human rights and fundamental freedoms has too often been subordinated to the special pleading of regional allies to Saudi Arabia or Israel or to an overstated, frequently irrational fear of Islamic popular movements.

The goal of building and sustaining a broad regional peace absolutely demands that all governments of the region pay close attention to human rights concerns and that the U.S. Government should ideally show leadership on this crucial but sadly neglected issue.

There are, of course, many difficult issues to be addressed if one wants to pursue an activist policy of encouraging respect for human rights and the growth of human rights organizations and democratic institutions in a region like the Middle East. The position of the U.S. Government is particularly difficult since most people in the region do not perceive it as defending the application across the region of the norms of international human rights law or the linked body of international humanitarian law. The erosion of the American position on the need to uphold the provisions of the 1949 Geneva conventions in the West Bank and Gaza has badly dented our country's ability to be seen by most Middle Easterners as a disinterested advocate of international human rights and humanitarian standards. Our government is also seen as closely allied with many other regimes in the region, besides Israel, which commits serious human rights abuses. These include Egypt, Saudi Arabia, Turkey and Bahrain.

The politics of including or excluding the human rights issue in Middle Eastern diplomacy is thus more complicated than it was in the CSCE negotiations when nearly all of our allies in the negotiation were more clearly on the side of including human rights.

Despite these difficulties, the inclusion of a strong human rights component in the American diplomacy toward the region and in the diplomacy within the region is essential if efforts at building a lasting and hopeful peace are to succeed.

Helena doesn't make this point, but I just wanted to add that the necessity of having a strong human rights component in the Middle East peace process doesn't necessarily mean that the Helsinki model would work, although it should certainly not be excluded altogether. However, I think as for this it's important to keep in mind that the Helsinki accords were unique in two very important respects. First they conditioned international cooperation and economic and security matters on a country's respect for human rights. More significantly they provided a role for private citizens to know and act upon their rights. Private citizens would do this by monitoring their government's compliance with the Helsinki accords.

In fact, one organization that came out of this requirement was Human Rights Watch, which started as Helsinki Watch to watch the Helsinki accords. But what we saw in Eastern Europe in the years after the Helsinki Final Act in the countries where the gravest human rights violations were occurring was disheartening—because human rights monitors and citizens groups that had formed to monitor human rights were harshly repressed almost from the start. Many groups, particularly in the former Soviet Union,

were actually disbanded, and throughout the region individuals were imprisoned or exiled because they were engaging in this very activity of monitoring the Helsinki accords. Many of those whom they did not imprison or exile continued to be persecuted. So I think it's important to keep that cautionary aspect in mind.

Thank you.

Mr. **Zartman.** Thank you very much. Those are very good points.

Our next speaker is Ambassador Tasheen Basheer from Egypt. We have rousted Ambassador Basheer out of his comfortable academic refuge in the United States Institute of Peace because he didn't get the word of the change of venue or indeed of the fact that this was being held this afternoon after the change in plans. So I'm personally very grateful to him for coming. I think we all should note the fact that we have with us a historic personage, a man who has worked very closely with the two late presidents of Egypt and was a significant figure often behind the scenes and sometimes up front in Egyptian diplomacy over the past number of decades.

Tasheen, thank you so much for coming.

Mr. **Basheer.** Today I'm going to talk about some general principles regarding the application of the CSCE model to the Middle East. They have studied this issue in several conferences that I have attended. It seems to me that there is a fashionable lure to apply any formula automatically and blindly that works in the West to conditions in the Middle East, Africa and everywhere else. Now, I will condition my talk by saying that if the Middle East had the same political settlement that existed between Russia and the United States or between the West and the Eastern Bloc, which created the CSCE, then the CSCE could seriously be considered applicable. But the Middle East is a different story. We don't have the same territorial, clear demarcation lines in the Middle East that we have in Europe. As such, we have to deal with territorial issues. CSCE has not dealt with these issues; with territorial issues and sovereignty issues happening within the ex-Soviet Union, the process did not work very efficiently.

Now let's talk about the Middle East. Everybody seems to equate the CSCE with the Middle East multinational tracks. But the multinationals are a far cry from CSCE. The multinationals are a part of a very difficult Byzantine structure called the Middle East peace process. Very few people question why we call it a peace process. We call it the peace process because the powers that be failed to reach peace. So instead they initiated a long process in search of peace.

Now, in the Middle East we have different kinds of belligerency: between states and states, and between groups and states. The concept of non-belligerency has not spread to the whole of the Middle East. In fact, in the Middle East we have, aside from situations of active belligerency, situations of active occupation of other people's land. The CSCE has not dealt with questions of other states or other peoples.

The Madrid multinational baskets are political. They were negotiated by the Americans, very ably by Mr. Baker, in order to take an active part in the negotiations rather than keeping themselves out. The Madrid partners came by invitation but countries like Iraq and Libya were not invited to take part.

Let me add that on the security track, the nuclear issue has not yet been included on the agenda because Israel objects to it, while Egypt wishes that all these issues be discussed to assure the comprehensiveness of the security system and the sustainability of the peace process. As the multinational gives to all members of the steering committee

a *de facto* veto power over what to be discussed by its insistence on the consensus principle, and if the nuclear issue is to be out, then what are we talking about? We are talking about a structural situation of asymmetry which the member countries can tolerate for the time being, provided the negotiations will take them toward greater symmetry, which is *sine qua non* of a sustainable comprehensive peace.

Take the Palestinians—even with Oslo II in mind. There is no peace treaty. There are procedures, agreed upon and tenuously acceptable to most of the population—I mean, accepted by 51 percent in the Knesset—and hopefully Arafat will get more than 51 percent support, but it raises an issue of what is a broadly acceptable majority, particularly with such a small margin of support. Is it 51, 50 plus one, can you arbitrate issues like the emotional political, religious, nationalist issues in the Arab-Israeli conflict with simply 1 percent margin? Both the Arabs and the Israelis need more supportive measures to make the peace negotiations more secure.

Saddat was killed and Rabin was killed. Both were killed by two young people who believed that issues of national determination cannot be decided by a weak consensus. They believed it then; and they believe it now. They keep saying that if one man considers an issue to be a deal between him and God, then in this absolutist form you cannot have the type of arguments that you have in a purely political sphere. The difference between the absolute and the relative is staggering. For a long time we in the Arab world have been faced with this problem of a revivalist political Islam of different kinds, different shades. I will not reduce it to a simple capsule. But Israel was suddenly awakened to this fact with Rabin in an ironic way. The man who defended Israel in all its wars is being killed in the safest part of Israel, in Tel Aviv, by no other than a young Sabrah who thinks that Rabin, the defender of Israel, is selling out.

On the Arab side we have our rejectionists who argue along the same lines. To both types of extremists, numerical majority does not by itself create consensus. The question that we face: how do we handle such situations?

Then there is the issue of human rights. Now what are human rights? The best thing for human rights, better than NGOs or the International Declaration, is the application of Geneva IV. While Israel accepted Geneva IV in principle, it refuses to apply it to the case of the Palestinians, even as the overwhelming majority of the U.N. General Assembly members decided that it is applicable. Israel does not apply it, presenting both a security and sovereignty argument against it. The question: what can we do about it?

Thirdly, the United States, the big broker of peace changes its position: its position in Jerusalem, its position on the refugees. It has been a history of change and accommodation according to political realities. The United States has a track record of changing its position on these issues.

So what do we do with this? That's the question mark. How can you push for peace and acceptance with popular participation—not just deals between governments—and hope to allow the Middle Eastern people across any dividing line, not just between Arabs and Israelis, but in other countries of the region as well? There are many dividing lines in the Middle East. What can we do about it?

Now you can't do strictly human rights. It's very easy to pin down the governments when they commit atrocities against human rights. That's easily done. We have lawyers. We have a legal system. Particularly if a country has a good legal system, then the country would be liable to more criticism from human rights organizations. If a country does

not have a Western model legal system, for example in Saudi Arabia, parts of Yemen, and here and there, the application of human rights becomes very patched. Fanatical groups who want to impose a political system by force to commit massive atrocities on the human rights of the population which are not reported because there is no machinery that can report that. They can impose massive harassment on populations. They do that in some parts of Egypt, where a woman is walking with a man, whether he is the husband or the brother, is questioned by vigilantes who want to impose their own value system on the rest of the population. However, that part of the massive attack on human rights is not reported. When it is reported, it's reported in generalized terms.

The question of human rights is based on a set of value systems. In the Middle East, popular constituencies believe in religious value systems that are not always consistent with the Western concept of human rights. Societies such as the Middle East are undergoing value changes which make it difficult to impose the Western value system upon them. Education and dialog might be the best way to handle this situation.

The challenge of a Middle East peace is that it is a socio-political, religious, and ideological transformation. The rules of transformation tend to be different from the rules that apply simply to established states that have minor, marginal problems that need to be accommodated with their neighbors. Mr. Rabin, who now is hailed as a great peacemaker, and he was, but he reached that point in the last 2 or 3 years of his life. Before that his policy was exactly the contrary. Sadat also went through transformation. When peace becomes an act of transformation, it leads a different game, a different play, a different activity.

It would be very nice if a CSCE-type modality would work in the Middle East. But having said so, I would not cancel the application of CSCE to some aspects of Middle East conflicts. We have tried it and we've found, for example, in some areas of disagreements we can apply it on an NGO basis and not a government-to-government basis.

We've had our big problem in Egypt between Egypt and Israel over the nuclear proliferation of Israel, and Israel took a strong stand of rejection of the NPT. The United States again excepted Israel from its general policy of non-proliferation, and does not treat it the way it treats North Korea, and we accepted this. We knew the facts of life. This is part of the problem because we did not want to raise issues to delay the peace. But at the same time we do not want to use the peace as an excuse for a prolonged asymmetry.

That's why we insist on raising this issue. Because eventually one day in the future, after 10 or 20 years, when Israel is satisfied that the great threat to it will not come from the Palestinians or other Arabs, Israel has to join with the rest of the Middle East in making it an area free of weapons of mass destruction. If Israel insists over time when peace is well established on being a nuclear monopolizer in the Middle East, then the peace will be meaningless and it will not be worth its term. Yet we accommodate Israel.

The key to us in the present and immediate future is to address the legitimate fears raised in Israel, whether they come from the government or the Likud opposition. At the same time, we must insist that Israel cap its nuclear production and make it accessible to legitimate inspection for a period of time necessary to build and entrench peace in the Middle East. Then, Israel should do what South Africa did—to denuclearize and to join with the rest of the countries of the region to make it an area free of all means of mass destruction. We all must realize that the greatest boon for the Middle East will be peace, that accepting the dualism for the time being is not a sellout, is not a giveaway, but is

part of preparation for mutual accommodation and mutual symmetry sometime in the not too far future.

This is what we started to do. How can we apply CSCE to this condition? We in Egypt, the National Center of Middle East Studies, and the Israeli side, not all of Israel, but an important NGO not far from the government, the Jaffe Center, started meeting without a hullabaloo in long 3-, 4-day meetings totally saturated with this issue. This was done without much publicity. We found that dealing with the people close to the decisionmakers, who participate in the opinion-making process, is much more beneficial than issuing public declarations which tend to poison the atmosphere. If your aim is to foster the development of equitable, practicable peace by the people of the Middle East, you have to adopt creative techniques, not simply copy other techniques. Copying is sometimes fine, but you adopt them with suitability in mind. It should not become a mere mimicking of others.

The key is whether these techniques will tend to push peace in the Middle East, whether they will give us greater space, will give the people greater participation to build the peace. I think this technique which is a little bit ad hoc-ish and a little bit pragmatic, has got us where we are thus far. If we started in 1977 with CSCE we would not have reached any peace in the Middle East. The attempts by the United Nations, the Committee of Four, the Committee of Seven, many intermediaries, all failed to produce results. As you know, in the Arab-Israeli conflict, which is a very complex multilevel conflict, all techniques of conflict resolution were tried. Some best known techniques now were at first tried there. Nevertheless, there is no *passe-partout*. The only *passe-partout* is a serious commitment to peace, but peace with open eyes that in the end peace must be sustainable over time. This will only happen if it is acceptable by most of the people and if in each political setup a political constituency identifies with that peace and feels that its selfish long-term and short-term interests are thus served by that peace. If we reach this, then we will do a lot to change or complete the transformation of the Middle East, not only the Arab-Israeli conflict, but the entire region. The goal is to make it an area of development, based not on elite participation alone, but on elite and popular participation as well.

The question of reaching a consensus on peace agreements is a difficult one, as it involves questions of ideology, security, identity, and national interests, which does not make it a simple issue of an election decided by a majority vote. I wonder whether a simple majority vote technique could have achieved what we have accomplished so far in the peace process. This is not an objection to the need of noting non-agreements; but it is a realization that this type of negotiation requires the creation of a new climate of opinion which goes further and deeper than normal political issues which simple majority elections could settle.

People ask about the best way to achieve a solid peace. One effective technique would be if we and the Israelis succeed in developing an inexpensive source of energy that could be used to desalinate the sea water so we can use it for irrigation to green the deserts of the Middle East. If one day we cooperate, Arabs, Israelis, and Americans, in using nuclear power technology to achieve this renewable inexpensive energy, then we will be cementing the peace for many generations to come. For peace means that the agonies and pains and fears—religious, historical, and real—that both sides feel and hold very close to their hearts will change, not only by words, but by the triggering and unleashing of a new program in which the existence of these two peoples contributes to a new Middle East when they address problems of poverty, alienation, and marginalization. Only then

can we look at the 30 or 40 years of strife, of wars, as something of the past. Our preparation should not simply be to score points over who's wrong and who's right. In the Middle East everybody has a scoreboard and no one has clean hands.

We have been exposed to something no other part of the world has been exposed to: the coming of people from Europe, from every part of Europe to the Middle East to create a country because they could not live among others. A people without a land, to seek a land with no people and unfortunately it was a land with a people. The test is now, whether it is for Zionists or for Arabs, that the two peoples, despite why they came and the harsh confrontation they had, to turn this confrontation into an engine of peacemaking and development. Only then, and within that parameter and with that vision, models like CSCE can be applicable.

Mr. **Zartman.** Thank you very much. We wouldn't have had a discussion without you here.

The floor is open for questions and discussion. I think we'll probably want to have some debate among ourselves, but it's open to the audience for questions. [Pause] Don't disappoint us. We've been controversial enough here.

Staff. Excuse me. Could all the questioners please just go to the microphone and identify themselves, because this is all on the record.

Questioner. I'm Corrine Witlatch, the director of a coalition, Churches for Middle East Peace. In the Middle East we have a situation where there's competition among the many weapons-selling countries for markets in the region, both to Israel and to the Arab states. How does this complicate or does this have an impact on the goals that you're putting forward?

Mr. **Zartman.** Does somebody want to take it?

Mr. **Basheer.** Is that to somebody or is that a general question?

Mr. **Zartman.** It's a general question, I think.

Mr. **Basheer.** I think one aim of a sustained Middle East peace will be to create such a balance in the Middle East that we will need a minimum of arms. Right now there is a big race for arms and as you know the United States is the No. 1 supplier. Besides arms transfers from outside, there is now an indigenous, very sophisticated arms industry. In the future we should not only ban the nuclear arsenal, but also control the industry that creates arms within certain limits, or at least have enough openness and transparency about it. Everyone should know what the others have and we should not make the Middle East an area where the arms industry is a profitable industry to be in.

Mr. **Makovsky.** Well, I think you make a very good point. There's no doubt that arms sales to the Middle East have had a very destabilizing effect and continue to. Looking at it as to how the multilateral process can deal with that problem, let me just make a general comment. I think Dr. Basheer and I agree regarding the multilaterals in that we see them as different from CSCME. CSCE was a process that began from the top and worked down. What the multilaterals do is start with small steps and buildup. I think one of those small steps is just building a structure. Among the structures of the multilaterals is an arms control and regional security working group. That includes not only all the Gulf states, Egypt, Israel, Jordan, the North Africa states, but also all the parties who are the major arms vendors to the region—the United States, Europe, Russia and others.

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I think down the road that is going to be the forum in which the issue of arms sales will be dealt with. It is an already existing structure in which the buyers and the sellers are present. I think there is a sense, informal at this point, that eventually it must be used for the purpose that you say. I think we'll see it eventually. Lamentably, not as soon as we'd like, but hopefully soon enough.

Mr. **Basheer.** Could I add something? You know, in the process of the multilateral, the Madrid process does not include every country in the Middle East. Though the term Middle East is alien to us, but it is used, Iran, for example, which is a regional power, is not included, and no one can talk seriously about having a demilitarization even in degrees of the Middle East without Iran being involved. We have to include all the countries of the area to apply the Egyptian proposal of making the Middle East nuclear free. It does not apply only to Israel. It also applies to Iran, and we have to create a concert of nations in the area. Right now, Iran is not involved in this process, and maybe Iran is totally against the process. So we have to work harder to try to reach peace, and to reach demilitarization. We have to convert the energies of the governments of the people into more peace producing activities.

Ms. **Ziai.** I just wanted to just make a very brief point, which is that while I think that I don't think anybody involved in the peace process would deny that protection and promotion of human rights are linked to peace and stability in the region, I think the absence of human rights from the multilateral process so far indicates just the very practical point that when the moment you have economic interests, including being involved in selling of arms, but other economic interests—other interests that are difficult to separate from the pure promotion of human rights—then it's easy to make human rights subordinate to those other far more strategic and lucrative interests.

Questioner. My name is Morrie Amitay. I'm a former FSO, former executive director of AIPAC, currently an attorney here in Washington. I'd like to comment on Ms. Cobban's statement that was read and a statement that the Ambassador cited.

I found it disappointing that she would say that it was the United States and Israel that kept human rights out of the peace talks that are now going on. I think it's the fundamental denial of basic human rights in much of the Arab world that kept it out since it would be a non-starter and it would be considered a hostile intervention in the internal affairs of these governments if human rights were to be added.

However, I must add I'm not surprised, since Ms. Cobban does have a reputation for Israel bashing, which came out just a bit in her statement.

I'd also like to comment on one aspect of what I thought was otherwise a very good presentation by Ambassador Basheer, and that was in implying strongly that the idea of Jews living in Israel came about because of World War II. I'm sure he is aware of the historical connection of the Jewish people with the land of Israel, just as he is aware of Egypt's ancient civilization. I was disappointed that he would imply that an alien force was somehow brought into the Middle East and forced upon a peace-loving Arab world.

Mr. **Zartman.** I think if we get to debate all of the issues of history in regard to this region we can be here longer than you want to, and our focus is on CSCE. But perhaps——

Mr. **Basheer.** We need to make some corrections. Mr. Amitay put us together, lumped us together. Now let's respond to what you've said. History of the Jews in the Middle East, my dear man; anyone with a scant knowledge of the Middle East knows that

the many cultures and religions and civilizations that the Middle East has produced. However, connections with the people, connection with the land is a different issue from having a Balfour Declaration to partition a country. What did the Balfour Declaration say? For a situation in which the civil rights of the non-Jews are not touched, that's a political matter. I'm now reading a book about the relationship between the Seventh Dynasty and the Palestine, that is the Seventh Pharaonic Dynasty. If everybody to because of historical connections makes a claim top create a new state, the whole world would be different and we in Egypt could claim many territories which we have gladly abandoned.

Early Zionists, for example, debated where to create their national home. At one time, they considered Uganda and Argentina along with Palestine, which proves there was no link to a given land but that the basic issue was to find a land with no people in which to build a Jewish state. But once most of the Zionist Congress agreed on Palestine, the link to the land became an issue for mobilization of support. So one should not take these issues at their face value, but should examine what lies behind the different claims.

Now, having known this, and this was part of the ideology that led to conflict, we are making peace with Israel. Despite our knowledge of the belief of many strains of Zionism that exist in Israel since '47 till now and even before.

Knowing how to make peace is to accept what the others say, whatever. The others have many opinions about it, and the Israelis and the pro-Israelis and the ex-members of AIPAC should know that the Arabs have many views on that as well. But making peace is making peace despite the existence of differences over this. That is what is the process of CSCE and making a sustainable peace in the Middle East is about. It's not about closing our eyes, it's knowing our eyes—I disagree with you on many points, but that is no reason that we should not reach in time a symmetrical peace. Differences might enrich us in time. Then we can find that the Israelis today and the Arabs today, if they transform their outlook on their conflict could be of mutual synergistic help to each other. Thank you.

Mr. **Zartman.** Thank you.

Mr. **Makovsky.** Well, I guess as a student of the Middle East I'd love to jump into this. In fact my real field in graduate school was Ottoman history, so I'd really like to go back and discuss the origins of the Modern Middle East. Nevertheless, I'll spare you. The peace process is about the future, not the past. To dwell on the past is in fact to negate the possibility of peace. What I think the peace process has been about, and this is particularly true of the multilateral process, and, Dr. Basheer, perhaps this is what you mean when you're talking about the asymmetry of it, is breaking down the taboo of Arab recognition of Israel. It has been about telling the Israelis that, to use the words of President Saddat in his 1977 Knesset speech, "You are welcome in this region." That's what the peace process is all about. Because the multilaterals have contributed so much to breaking down this taboo, Israel has felt comfortable to take the risks for peace. There are other reasons as well for the great gains in Middle East peace over the past 2 years, but that's one crucial reason. Breaking down this taboo has made the Israelis more psychologically comfortable, and consequently better able to make peace.

I'd just like to tie that in with one other issue that came up about Iran. It's true. Iran was not invited to the multilaterals. That was probably a mutually acceptable decision—one not inconvenient to Iran since it opposes the peace process and Israel's very

existence. It won't endorse a process that would ratify Israel's existence. As a result of that, the Israelis perceive a nuclear, a potential nuclear threat from the Iranians. Since the Iranians are not in the multilateral process, however, that process is unable to deal with the nuclear issue. That's one dimension Iranian exclusion from the multilateral process. But a second dimension more broadly is that the multilaterals need to establish a set of criteria for admission that all citizen states of the region have to accept. A very basic criterion—the most elemental—is acceptance of every other state in the region. Iran has not met that basic criterion, and thus has excluded itself from the multilateral process and the synergy of which Dr. Basheer speaks.

In short, most of the Arab states of the region have contributed mightily through their participation in the multilaterals to making the Israelis comfortable enough to make bilateral peace agreements. Iran, however, chose to remain outside the pale.

Mr. **Zartman.** I'd like to return to you. OK.

Ms. **Ziai.** I just wanted to just make a clarification, because I don't want the content of this paper to be misstated. I think that it does not select the United States and Israel as the only countries that have been guilty of not introducing or not attempting to raise the issue of human rights. Certainly there was discussion of Egypt and Saudi Arabia as well as other countries. But I think one thing that we should not overlook is that, when you look at what has been happening in the region itself parallel to the peace process, it's disheartening to see not only that human rights violations by the Israelis have continued in the areas that it continues to occupy, but that human rights violations by the Palestinian national authority are now—a pattern has emerged as well. Neither the Clinton administration nor the Israelis have taken a strong stance in condemning those violations. Not only that, but they have actually in their words and in their actions encouraged the violation of human rights in the areas under self rule.

Mr. **Makovsky.** But Fahti, can I ask you—Fahti, I'm sorry. First time we've met also. It's also nice for me to meet you.

Ms. **Ziai.** Thank you.

Mr. **Makovsky.** But do you really think that the major reason that the multilaterals have not tackled human rights is because of Egypt alone, because of Egypt, Israel and Saudi Arabia? I mean, there's not one Middle Eastern state that has really been eager to deal with the human rights issue as a working group within the multilaterals. I would say of all the states in the region Israel within its '67 borders is the one where clearly the human rights record and the record on democracy are the best. Yet I don't think even the Israelis feel comfortable with the idea of introducing human rights as an issue in the multilaterals at this stage. I don't think there is one state, one Arab state in the multilaterals that is really eager to be scrutinized from a human rights point of view the way, for example, CSCE envisions that European states should be monitored and scrutinized regarding human rights.

Ms. **Ziai.** No, I quite agree with you. In fact, I couldn't agree with you more. I think that there happen to be stronger countries, and those are the ones that we and the process tend to focus on. But I don't think any country in the region is exempt from the very serious critiques that one can make about human rights violations. Certainly none of those countries are keen on exposing their records. But we're talking about countries who are directly involved and play a more important role in the process than others.

Mr. **Zartman.** I think the point of the human rights discussion, and I think in fact the point of Helena Cobban's paper is that she regrets we can regret from the point of view of the CSCE process that human rights are not included in it. One might even add in fact that if a country had a perfect record on human rights then there would be no basis for deploring that it wasn't included in the process. Certainly there's a need to the countries of the region and the goals of the process to show a need to complement that at some point if the process is to be complete.

I would like to pick up what I think is one difference among the panelists that is perhaps more directly related to the CSCE process. I gather that there's some differences to when this process would be useful in bringing together a security and human rights and development community in the region. Are there preconditions that have to be achieved before a CSCE type of process, whether you call it that as a foreign import or not, but a CSCE type of process that is a broad agreement on some of these goals or does one start to reach those preconditions by discussing the topics that a CSCE process should cover?

After all, we should remember, and it's not authoritative, but it is the historic fact that the Helsinki process began before boundaries were recognized, before human rights progress was achieved, and before other aspects of the process were gained. That was the European experience. That doesn't say that it has to be other people's experience, and our debate here should address that question. Is this a process to begin early or is it subject to preconditions? Maybe people would like to address it.

Mr. **Basheer.** Now in clear areas of the conflict where you have a delineation of the borders, i.e., there is no territorial issue, then you can very easily apply CSCE like between Egypt and Israel. If you go to the Palestinian track, the application of this, it's very difficult and they have to negotiate every day. In fact, I would argue that raising it prematurely can complicate peace between the Israelis and the Palestinians. They are arguing every day about what highway between what village will control it, who will pass on it. But having said so does not mean that we should not be involved in a way that does not as witnesses, as bystanders, as people who observe. In fact, the existence of the third party of whatever degree of objectivity is helpful to the process.

Now, the question of human rights is much more complicated because in the Middle East Israel has a very good record of human rights in everything except the Palestinian or the Arab Israelis. The Arab Israelis are subject even now to military rule which any other Israeli is not subject to that. But we tend, but calculatingly, to avoid the sensitive issue and concentrate on the positive. The more there is peace, the more this treatment of Palestinian Arabs or Israeli Arabs will improve.

Now, the human rights face a fundamental issue. What do you do if you have a religious believer, whether they are Muslim, Christian or Jews who believe that the role of their religion, of their book, of their interpretation is higher than the role of the U.N. declaration or their own parliament declaration? What do you do to them? What happens when organizations about human rights, many of them are not homespun, though now we are having them? Many of them are motivated, financed from the outside, come and delve in issues that are a function of education.

For example, equality of women in the Middle East; if you want to raise that issue, then you will be in trouble. I negotiated not only with Israeli secularists and extreme nationalists, but also with ultra-religious Israelis. A lady once came to us in Egypt to negotiate because she believes in peace. She's already shaven and put a peruke over her

head. That's her religious belief. Nevertheless, she wants peace, and I am willing to reach peace with her. It is very difficult to go with Yigal Amir and dictate to him a secular law and he tells you halakah is against it. Or a Muslim who would say this is apostasy in Islam.

The women issue in the Middle East is a function of two things: education for women, mass education from kindergarten up, and fostering legal constitutional methods to empower the women to a greater role of participation, to reach equality. You cannot do it simply by highlighting the inequality. The inequality exists. But when you come to religious issues, then this is a function of a whole transformation of how different people change their belief system, modify them, make them fit to the times (and sometimes they never make them fit to the times), but hopefully develop them to the point that those who take the strictest of literal interpretations would be a minority. The majority will take the values of religion to be applicable equally to modern times. But it is not an issue for which we can easily find shortcuts.

Now, the Egyptian government for all its credits and limitations has allowed massive published material of criticism in the Egyptian printing press of everything done in Egypt from the president down. In fact, I addressed the president in 1992 with a very critical letter to him, and nothing happened to me. We want to encourage this. I wouldn't like to push that to the fore so as not to smother the starting and the sprouting of democracy. This is the art of the possible, the art of growth politically and there are not shortcuts.

That does not mean however that interested, objective parties outside that want to enhance this process should not invite themselves to the problem, but they should come with a little degree of humility and a degree of trying to understand the real factors that impede that development. If they do, their effort will be great. I would spend much more time teaching women education, how to organize, how to help themselves. If we do that, then the liberation of women in the Middle East will be closer to fulfillment. Thank you.

Ms. **Ziai.** Just in answer to your question I just wanted to point out that I think that the CSCE process is a process and not a formula that aims at a specific end. I think if you look at what happened in Eastern Europe and the former Soviet Union for example it's not clear how much of the political reality that we see today was shaped by the CSCE process. I think that's a question mark in many ways. During the years that CSCE was involved in review of the Helsinki accords and so on I think there are many people in countries that were signatories to the Helsinki accords who actually called for the dismantling of the accords because they didn't see the process as a successful one. Yet we look today at Eastern Europe and the former Soviet Union, and there are certain many aspects of the political evolution that we see as positive.

So I'm not sure how much one can separate the political flow from a process like this or how much one can connect them because they may each sort of take on a life of their own. I think that the question is whether this process has certain aspects that can be used effectively, as the Ambassador pointed out, maybe in certain discreet areas, certain discreet aspects of the Middle East peace process rather than trying to essentially reformulate what happened in the CSCE context and apply it to the Middle East.

Mr. **Zartman.** Mr. Makovsky?

Mr. **Makovsky.** Well, I think that the peace process in the Middle East, whether we're talking about the bilaterals or the multilaterals, is first about establishing peace and about establishing the prosperity that supports peace.

I think I agree with both of my co-panelists, first, that the multilaterals are a process, meaning that not everything can be done at once, and that the process will eventually get to human rights, and, second, at this point probably the most effective means of campaigning for human rights in the Middle East is through NGOs and through private organizations. I don't think that it's likely in the immediate future, given the states participating in the multilateral peace process to expect that process will be the primary vehicle for a human rights campaign.

However, there is an ongoing process and just this summer for the first time the notion of active human dimension programs was injected into the multilaterals and was accepted. Switzerland became the adviser for the multilaterals for human dimension. Swiss officials have made trips out to the region talking to the parties, at least two trips that I know of. I understand some ideas are in the works, talking about interfaith dialog, for example, different things that involve people-to-people contacts.

This is a beginning. I think it will be some time before the states that participate in the multilaterals feel sufficiently comfortable, as I've said, to subject themselves to human rights' scrutiny by one another. However, there's a beginning now, and there's a process, and I think there's reason to hope the process will get to human rights, will evolve in the direction of CSCE with human rights. Meanwhile, much of the responsibility for distribution of information, and hopefully it will be fair and accurate information, will devolve upon the NGOs.

Mr. **Zartman.** Thank you. Let me just say one sentence in putting those two together that, although I personally would agree with you, I am grateful for the statement that comes from Middle East Watch because we'll never get there if somebody doesn't remind us that there's a "there" there to get.

A question?

Questioner. My name's Lisa Vanderbly [ph]. I'm from the Helsinki Commission. Mr. Makovsky, specifically, what kinds of a role do you think that Turkey, which already participates in the OSCE, can play in the development of a CSCME, taking into account its own human rights situation there? Then you've started talking about the role of NGOs. I was wondering if the rest of the panel could address how NGOs throughout the region, if they're establishing contacts between themselves and whether they're reinforcing the attitude that's needed for peace or how they could better do that.

Mr. **Makovsky.** Well, first Turkey. I think Turkey should—Turkey has been deeply involved, has become deeply involved in the multilateral process, particularly in the arms control and regional security dimension, where it has been—there's a lot of arcane language in the multilaterals—but they have been a "mentor," which means a chairman of one of the subgroups in the arms control and regional security group.

There are a couple of reasons why Turkey's involvement is very important. One is that Turkey is a neighbor to the Middle East, and in the larger sense part of the Middle East security system. Second, because Turkey is formally part of Europe, and all the European institutions, European processes, it has the experience of OSCE and CFE, which allows it to contribute a lot to the Middle East from this experience. Third, and maybe this is less well known, although Turkey is part of CSCE, an exclusion zone covers I would guess maybe about 20 percent of Turkey—I'm just guessing—but the area of the southeast that borders Syria, Iraq and Iran, where Turkey is exempt from CFE troop and materiel limitations. That was in recognition of the fact that Turkey was part of the Mid-

dle East, at least partly part of the Middle East. So it really does belong in a certain sense in a Middle East security system.

I have a feeling that over time if the arms control and regional security group will evolve to a full-blown security system, Turkey must be formally part of it. So both because of Turkey's experience and because of the needs of its neighbors to know that Turkey is also going to be a peaceful neighbor, I think Turkey needs to be involved.

In fact, I think Turkey must be an important part of any wider solution in the Middle East, particularly regarding water. Also, Turkey's been actively involved to some extent with the refugee issue. My institute will be coming out with a study about the multilaterals hopefully in about two to 3 months. One recommendation we will make, in fact, is that Turkey should be part of the Steering Group of the multilaterals.

Regarding human rights, you asked specifically about Turkey and human rights. If you look at Turkey as a Middle Eastern state, it would be, in terms of democracy, one of the top ones in the region, along with Israel. But obviously it's got well-known human rights problems and minority problems, and I don't think Turkey would be eager for further scrutiny on that score. Of course, Turkey already opens itself to such scrutiny as part of the OSCE. I should remind you, Turkey as a European state is officially an outside participant, or "extra-regional"—like the United States, Russia, Japan, and the EU states—in the Middle East multilateral process.

Mr. **Zartman.** Did you have anything?

Ms. **Ziai.** No.

Mr. **Zartman.** OK. Yes, sir?

Mr. **Basheer.** I'm about to travel for a security meeting in Ankara, and I'm fond of Turkey, but Turkey is problematic. The problematic is deep. Turkey wants to be part of Europe, and Europe does not want to include Turkey in it. So it's part of NATO, but it's not part of the European Union. Some people define the Middle East conveniently to include not only Turkey but all the Turkic-speaking countries of Central Asia. The Turks have found out that involvement in these areas, though they have historical ties and maybe religious ties, do not pay. Turkey does not want to get too involved with Russia, with other parts in there. Turkey shied away when the Bosnia issue came up because it's too complicated, too difficult.

Now, on the Middle East it was comfortable, marginal; it's not costly. But it is not costly because, as my co-panelist said, the issues of the biggest minority of Turkey, i.e., the Kurds, is not recognized, it is not discussed, it is not dealt with. How can you have human rights when the word Kurds is not mentioned. The Turks are not ready.

So we would like to have Turkey in, but not necessarily to give it a big role until Turkey plays a good neighbor to Iraq and Syria and not just take a unilateral position regarding the water of the Euphrates. The fact remains that Turkey, Iran, and Iraq should address the Kurdish issue. We cannot live in the Middle East and talk of humanity while the Kurds are being either overlooked or dismissed, while they are being massively denied their basic rights, not only human rights.

Mr. **Zartman.** Thank you very much. I think we'll close at this point and leave a little bit of time before the next panel. Please join me in thanking our panelists for having been with us. And I think this has been a very useful discussion. [Applause]