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Sub-regional or multilateral?

New Approaches to Conflict Management in the Middle Eastern Region under Scrutiny

Research paper drafted at the request of Friedrich-Naumann-Stiftung für die Freiheit,
Potsdam

September 2007

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I. The complex concentration of conflicts in the Middle Eastern Region and the endeavours to achieve peace.

The Middle Eastern Region - defined here as a geographic area stretching from Egypt and Turkey in the west to Iran and Oman in the East - has a high ratio of longstanding conflicts of which the most outstanding are the Arab-Israeli and the conflict over hegemony in the Gulf region in connection with the disintegration of state authority in Iraq.¹

Furthermore, they are in multiple ways related to other conflicts such as the conflict about the internal and external sovereignty of Lebanon or the Kurd problem. All these conflicts in the region have a common factor, namely that the directly involved parties are unable to cope in finding ways to de-escalate or even solve 'their' conflicts without participation from outside. Yet even repeated appeals by third parties for moderation have, at the best, resulted in temporary success. This has partly to do with the fact that the parties involved consider their own interests to be of too great an importance.

There are conflicting opinions both in academic political debate as well as in the practice of international diplomacy, whether there is more promise of success by dealing with individual internal and external conflicts on a sub-regional basis or alternatively creating a large-scale conference framework similar to the 'success story' of the CSCE.

So as to be able to judge the two approaches, a summary of the complex concentration of conflicts in this world region as well as the important attempts till now to resolve them, will be presented first.

As most of these attempts are, in general, related to individual pairings of conflict partners, the summary will follow this approach. This - at the same time - also makes clear that there is a lack of comprehensive approaches. If CSCE could serve as an example for such a conference project, then the question arises which structural and procedural criteria contributed to its success and whether they can be transferred to neighbouring regions, or rather, in what way regional differences lead to different conclusions.

This aspect will be dealt with in the second part of this presentation.

Finally, against this background, three scenarios on the question of a sub-regional or multilateral approach will be presented and analysed. What arguments advocate a separate solution for each individual conflict? What arguments advocate a single large-scale 'Conference on Security and Cooperation in the Middle Eastern Region' (CSCME), and what arguments advocate a compound conference with multiple 'tents'?

1. The Arab-Israeli Conflicts

Among the conflicts in the region that have lasted longest is the one between Israel and its immediate Arab neighbours. They are based on Jewish land claims and settlements in Palestine that was, at first part of the Ottoman Empire and later under a British mandate and on the contradictory promises, especially by the British, towards both Jews and Arabs.

¹ Compare Muriel Asseburg/Guido Steinberg: *Konfliktdynamik im Nahen und Mittleren Osten* published in *Politik und Zeitgeschichte* Issue 19/2007. Page: 6-12.

As a result of the pogroms against the Jews in Europe and the Holocaust, the Jewish population in Palestine grew to more than 500,000 before the founding of the State of Israel.

The Arab population at the time was approximately 750,000. The 1947 United Nations partition plan, whose legitimacy is till today, contested, resulted in Ben Gurion's proclamation of the State of Israel when the British pulled-out on May 15th, 1948. The Arab neighbours, who rejected the U.N. decision from the onset, marched into Israel the following day, in an attempt to stop the division of Palestine.

The results of the first Arab-Israeli War (War of Independence) were:

- Materially: the increase in the size of territory of the State of Israel - compared to the UN-designated area - and the flight and dissipation of approximately 700,000 Arabs who later termed themselves 'Palestinians'
- Legally: cease fire agreements but no peace treaties defining ultimate borders and
- Psychologically: a deepened enmity between Israel and its Arab neighbours.

1.1 Israel's conflicts with its neighbouring states

Even though becoming multifaceted, this basic situation remained the same in the following decades. In the June War (Six Day War) of 1967, Israel conquered the Gaza Strip and the Sinai Peninsula from Egypt, the West Jordan Land and East Jerusalem from Jordan and the Golan Heights from Syria. While establishing an occupational regime in both the Gaza Strip and the West Jordan Land it annexed both the Golan Heights, for strategic as well as water supply reasons, and the symbolically important eastern part of Jerusalem. As a result of the first Lebanon War (in 1982) Israel created a security zone in southern Lebanon that it evacuated in 2000.

The Yom Kippur War, conducted by Egypt and Syria against Israel in October 1973, resulted in Israel's occupation of parts of the western bank of the Suez Canal. Subsequently several agreements between Israel and Egypt led to the return of the canal to Egypt in 1974 and was crowned by a peace treaty in 1979 which resulted in the return of the Sinai Peninsula to Egypt by 1982. This peace treaty is often termed as a 'Cold Peace' as it had no impact on either society. Egypt 'paid' for the peace treaty with a temporary isolation within the Arab world. This has, in the meantime, changed so that President Mubarak has often acted as a mediator between Israel and Arab - especially Palestinian - interests.

A second peace treaty between Israel and Jordan was achieved in the mild light of the Oslo Peace Accord (see below) in 1994. It sealed the relinquishment of the West Jordan Land by the Hashemite Kingdom. By this step the territory has - in an indirect way - been designated to the Palestinians living there, not least, to avert that a return of the territory to Jordan might undermine the Hashemite power-hold through a further increase in the already dominant Palestinian majority in the kingdom's population. The treaty itself consisted of a bilateral segment that both sides at once implemented, and a multilateral segment in which Israel and Jordan promised to advocate "the establishment of a Conference on Security and Cooperation in the Middle East" that would lead to a "zone of security and stability". This has yet to be achieved.

At the end of the 1990s, Israel and Syria negotiated about terms for returning the Golan Heights. However, the negotiations were broken off in spring 2000 even though only questions of detail remained in dispute. It became public, at the beginning of 2007, that further Israeli-Syrian negotiations had taken place since 2005 that were broken off at the beginning of the second Lebanon War in July 2006. While Syria supported the unconditional resumption of talks, Prime Minister Olmert renewed his invitation to Syrian President Assad to talks on the topic in July 2007, while demanding, at the same time, that Damascus break off its contacts with Iran. The approach ended in nothing when President Ahmadinejad immediately after the offer, ostentatiously visited his colleague Assad and met with Hezbollah leader Nasrallah.

Because Lebanon had not participated in the June War, Israel's relationship to its northern neighbour should have actually been better than to the other neighbouring states after 1967. But as Lebanon was too weak to hinder the PLO and other Palestinian groups from preparing and launching attacks on Israel from its territory, Israel invaded Lebanon in 1982 and occupied a 10 to 20 kilometre wide security zone in the south after the PLO had left for Tunis. It held it against resistance from the Shia Hezbollah that had declared its solidarity with the Palestinians until 2000.

The armed conflict with this organisation that operated as a 'state in a state', continued at a low level after the departure of the Israeli troops until it once again escalated in July/August 2006. One reason for this was that the required disarming of the Hezbollah, as in UN Security Council resolution 1559 of 2004, had not been implemented and this had to do with the fact that the resolution further demanded the withdrawal of foreign troops which was also not fulfilled. Not only did Syrian troops remain in Lebanon till 2005 but Israel did not pull-out from the Shebaa Farms next to the Golan Heights that it had occupied since 1967.

The farms were claimed by Lebanon while Israel stated that they belonged to Syria. The 'Summer War' of 2006, triggered off by the abduction of two Israeli soldiers by the Hezbollah and in which no regular Lebanese forces were involved, resulted in widespread damage to the Lebanese infrastructure and over 1,000 civilian victims. A side-effect of this war was the development of a kind of Cold War between the governments especially of Egypt, Jordan and Saudi-Arabia who criticised Hezbollah and their societies, who celebrated the Shia leader Nasrallah as a hero². Even though the ceasefire has been, more or less, upheld by an enhanced UNIFIL force - based on UN resolution 1701 of 2006 - both Hezbollah and Israel do not exclude the possibility of a renewed escalation.³

1.2 The conflict about the creation of a Palestinian state

The antagonism between Israel and the Palestinians in and outside the occupied territories is considered to be the central aspect of the Arab-Israeli conflicts. In regard to content it is, above all, about the creation of a Palestinian state alongside Israel, the common borderlines and the question of the future role of Jerusalem. In this context the question of the

² Compare: Morten Valbjørn and André Bank, Signs of a New Arab Cold War. The 2006 Lebanon War and the Sunni-Shi'i Divide, in: Middle East Report 242, Spring 2007, Pages. 6-11.

³ Compare: Berthold Meyer, *Die maritime Task Force – eine Farce. Warum das Nahost-Quartett auch beim israelisch-libanesischen Konflikt gefordert ist* in HSFK-Standpunkte No. 1/2007

dissolution of settlements built and inhabited by Jews in the Gaza Strip and on the West Bank since 1967 as well as the return of Palestinian refugees to their “native homes” has to be resolved. This term is in so far a point of issue, as Israel wishes to hinder a massive return of Arabs to their former homes that would affect the state's Jewish character. On the other hand, the influx of a greater number of refugees from camps in neighbouring countries to the Gaza Strip and West Jordan Land would exacerbate the social situation there, unless there was a considerable and more or less permanent support, by third party states. Furthermore, the freedom of movement of the Palestinians between both parts of their state, travel from their territories to neighbouring states and the securing of water and energy supplies would have to be resolved.

The attempts by third parties to abate or even resolve this conflict are numerous. In autumn 1991, a similar multilateral conference to the CSCE, that had led to the peaceful resolution of the East-West conflict, was initiated by U.S. President George Bush (senior) in Madrid. Israel and its Arab neighbours, including Palestinian representatives as members of the Jordanian delegation, took part. The background of the conference was the broad alliance in the war against Iraq to liberate Kuwait that included the participation of Arab states. The conference, chaired by the U.S.A and Russia and including representatives of organisations that were not from the region, was based on a dual structure as a compromise between the Israeli demand for bilateral and the Arab demand for multilateral talks.⁴ However, the conference was put aside and finally faded away when direct agreements between Israel and the PLO were drafted in Oslo in autumn 1993 and appeared, at first, to be a ray of hope.

A peaceful environment appeared possible at the signing of the declaration of principles in Oslo and the subsequent agreements. Yet, this sub regional framework, chaired by President Clinton, was not able to move the Israeli and Palestinian leaders to agree on sustainable compromises. Especially the contradictory hopes on both sides - including their populations - about the term 'final status' that was to be achieved after a five year period, and the hesitant manner in which the agreements were implemented, led to the failure of the Oslo peace accord. As a result, the second Intifada that assumed the dimension of a minor war broke out in autumn 2000.⁵

Since then, there have been numerous attempts by international representatives to end the renewed bloodshed between Israelis and Palestinians and to bring them back on the road to peace.⁶

⁴ A further multilateral conference should be mentioned here. In 1995 the EU initiated the Barcelona Process. It covered three baskets: (I) political and security partnership, (II) economic and financial partnership and (III) partnership in cultural, social and human fields, copying the CSCE process. It was intended to be the beginning of a Euro-Mediterranean partnership but was based on an error of judgement that, what appeared to be an incomplete peace at the onset of the Oslo agreements was yet irreversible. Compare: Annette Jünemann, *Zehn Jahre Barcelona-Prozess: Eine gemischte Bilanz* in *Politik und Zeitgeschichte* 45/2005.

⁵ Compare: Berthold Meyer with the cooperation of Hannes Vorhofer: *Aus der Traum? Das Scheitern des Nahost-Friedensprozesses und seine innenpolitischen Hintergründe*. HSFK-Report 2/2001, Frankfurt/M. 2001.

⁶ Moreover, there were joint attempts by Israeli and Palestinian politicians like the Geneva Initiative for example, that drafted a comprehensive agreement on bilateral relations.

Of special mention here are the following negotiations:

- The conference in Taba in January 2001 where President Clinton momentarily succeeded in achieving a further convergence of positions that were nullified when Barak handed over power to Sharon.
- The Saudi peace initiative in March 2002 that was adopted by the Arab League. It offered full diplomatic recognition of Israel by the 21 member states and a normalisation of relations plus security guarantees in exchange for the return of all territories occupied since 1967. After Sharon's government had ignored the offer, the Arab League renewed it in spring 2007.
- Furthermore, the initiative of the specially created Middle East Quartet (U.S.A., Russia, E.U. and U.N.) in April 2003 for a road map that would, by 2005, lead to the creation of a Palestinian state alongside Israel and to peaceful relationships between them⁷ and
- Finally, the "Geneva Initiative" in December 2003, where representatives of Israeli and Palestinian societies presented a joint draft of a partition and peace agreement that, for the first time, resolved most questions of detail on which earlier peace plans had always failed.

Up to the end of 2005, all initiatives failed on the one hand because Palestinian President Arafat was, until his death in November 2004, either unwilling or unable to enforce state control over the activities of numerous figures of violence and, on the other hand, the resulting tendency of the then Prime Minister Sharon to unilateralism, documented in the one-sided pull-out from the Gaza Strip, in the fortification of the border to the West Jordan Land, to a greater part by a wall that dissected Palestinian territory and that was thus declared a breach of international law by the International Court in 2004, and in the upholding of Israeli settlements.

As a result of the general elections in the Autonomous Palestinian Territories in February 2006, radical Islamic Hamas took over government. Israel refused to recognize this government as long as Hamas did not recognise the State of Israel, accept the agreements that had been signed with the PLO and renounce the use of force. Israel's attempts, with the support of the U.S.A and the E.U., to achieve these aims by way of a blockade, enhanced the inner Palestinian fight for power between Hamas and the PLO. The creation of a government of national unity as a result of pressure from Saudi-Arabia was incapable of acting from the onset. Instead, a situation of virtual civil war broke out in the Gaza Strip in June 2007 and led to the dismissal of Hamas Prime Minister Haniyah by President Abbas even before steps by Hamas towards an internationally acceptable compromise concerning the recognition of Israel could take effect.

In the meantime, the Gaza Strip is governed by Hamas while a newly appointed Fatah government rules solely in the West Jordan Land. Whether this division in a 'Hamastan' and a 'Fatahland' is of long standing, is not yet clear. On the one hand, it appears that the knot

⁷ The agreement to act jointly as a 'Quartet' happened at a point in time when the U.S.A. and Russia had moved closer together in the question of fighting terrorism.

has been untied and there is once again movement between Israel and the PLO, i.e. the Palestinian leadership. But on the other hand, a total marginalisation of Hamas and the Gaza Strip appears highly risky both related to the inner-Palestinian conflict as well as to Israeli-Palestinian ties.⁸

The reactivation of the Middle East Quartet during the German E.U. presidency in the first half of 2007 plays a role in connection with new peace initiatives. The same applies to the constitution of a quartet encompassing Arab states (Egypt, Jordan, Saudi-Arabia and the United Emirates) that had a moderate position towards Israel, and that took up the Saudi-Arabian suggestion of 2002 in an attempt to restart the peace process. E.U. High Commissioner for Foreign and Security Affairs, Solana has taken this up with the suggestion that perhaps a summit with the format 4+4+2 (Middle East Quartet + Arab Quartet + Israel and the Palestinians) could make sense. This suggestion has been substantiated by the invitation of President Bush (junior) to a multilateral Middle East conference in November 2007 in Washington. Yet, at present, it is still unclear who will participate and what the topics will be.

2. Conflicts relating to Lebanon's internal and external sovereignty.

The conflicts on Lebanon's internal and external sovereignty have been part of the Israeli-Arab conflict for a long time. The first important aspect is hereby, that this little country took approximately 100,000 Palestinian refugees after the first Arab-Israeli war: a number that over the past decades, partly because of the expulsion of the PLO from Jordan and partly because of the high birth-rate, has grown to nearly 400,000. This segment of the population is living under miserable conditions in 12 camps spread out over the country. The camps are more or less autonomous, owing to an old agreement that forbids the Lebanese army from entering them.

As a result, heavy fighting, started by militiamen of the radical Islamic Fatah al-Islam, has occurred in and around Nahr al-Bared camp since the end of May 2007. They have further heightened the internal tension in a country recovering from the 1975 to 1990 civil war while experiencing the murder of former Prime Minister Hariri in February 2005 and the forced withdrawal of Syrian troops as the result of a popular uprising. Tension grew further as a result of the summer war in 2006 and especially the departure of the Shias from the all-party government.

Part of the tension has to do with the structure of the Lebanese state which goes back to the time of the French mandate in Lebanon and Syria. It is firstly mirrored in a pillarisation based on fixed quotas for the share of power between Maronite Christians, Sunnis and Shias and to some extent includes the Druses: the president is always a Maronite, the prime minister a Sunni and the speaker of the house a Shia.

Even though the original distribution key of parliamentary seats between Christians and Muslims was 6:5, based on a 1932 census, it was slightly changed to 6:6 by the agreement of

⁸ Compare: Margret Johannsen *"Dschihadistan in Palestine? The Gaza Strip and the West Bank fall apart and the West just watches. However, three states for two nations is only desired by Al-Qaida"* in *Internationale Politik*, July/August 2007 Pages 128-131. Volker Perthes *Begrenzte Chancen. Die Gemeinschaft im israelisch-palästinensischen-libanesisch-syrischen Viereck* in *Frankfurter Allgemeine Zeitung*, July 30th, 2007. Page 8

Taif in 1989, yet this does not reflect the development of the population in which the Shias have become the largest minority and the Muslims represent the majority. The second aspect is the important role clientilism and the influence of large wealthy families play in political life. So that thirdly, the state monopoly of power is effective only in part.

Thus the PLO was able to operate as a state within a state during the 1970s and 1980s. The same applies at present to the Hezbollah and its militiamen that were not really weakened by the summer war in 2006. These structures alleviated the repeated extensive military intrusion of Lebanon by alien powers, namely Syria and Israel and their presence there for a considerable period of time. Attempts by the United Nations, through their aid for refugees on the one hand and the UNIFIL forces on the other, to contribute to stability have had only a minor effect.

3. Conflicts in and about Iraq

The U.S.-led war against Iraq in spring 2003 has not resulted in President Bush Junior's promised democratisation and a positive domino effect that it was meant to have for the entire region. In fact, it is the opposite case. The continuing occupation has had two effects: on the one hand the U.S.A. is forced to support a Shiite-dominated government that strengthens the Shias in the region and thus strengthens the claim to leadership by the (Shiite) Islamic Republic of Iran (see below) and on the other hand this process has been accompanied by an increase in domestic violence in Iraq. Neither has the reinforcement of U.S. troops in spring 2007 brought a change. Moreover, the prestige of the U.S.A. as the leading representative of a western model of democracy has been severely damaged throughout the region. Furthermore, a destabilising effect has resulted from the presence of over two million Iraqi refugees in neighbouring states.

An important reason for the increase in domestic violence in Iraq has to do with the fear of the Sunni minority - who under Saddam Hussein controlled the central positions of power - that the cooperation between the former heavily discriminated Shia majority and the Kurds will marginalize them. All the more, considering that the oil-wells that represent the potential wealth of the country are in the Shia and Kurd provinces

Even though, during the drafting of the constitution, an attempt was made to give the Sunnis an adequate standing in the political system, their representatives only hesitantly took up office until 2006, only to again resign from the government during 2007. Instead, Baath and National-Islamic Sunnis fought against the occupation forces as well as against the new regime. Apart from this there are also al-Qaida groups operating who wish to provoke a civil war between Sunnis and Shias and - as it would appear - have been successful. The government of 'national unity' in which Shia, Sunni and Kurd parties are involved is not only incapable of acting because of the tension among these groups but also because the Shia parties are at loggerheads among themselves.⁹

It is to be expected that the high level of violence in Iraq will not subside that quickly. Thereby there is a danger that neighbouring states will be drawn into the civil war or will

⁹ Compare: Guido Steinberg, *Irak-Szenarien für das Jahr 2007* in: Muriel Asseburg (Editor), Regionale (Neu-) Ordnung im Nahen und Mittleren Osten und die Rolle externer Akteure, SWP-Study Paper, Berlin, March 2007, Page 7 & 39.

intervene.¹⁰ However, "as the neighbouring states have an interest in the preservation of Iraq's territorial integrity they should be tied in to a regional forum on the future of the country."¹¹

An even broader joint initiative titled 'International Compacts with Iraq' planned for a five year period, was started by the Iraqi government and the United Nations in July 2006.¹² The Compact was passed by the foreign ministers of a large number of states under the chairmanship of U.N. General Secretary Ban Ki-Moon and Iraqi Prime Minister Nuri al-Maliki in Sharm el-Sheikh on May 3rd and 4th, 2007. The extensive document in which the Iraqi Government and the international community commit themselves, "to build a secure, unified, federal and democratic nation, founded on the principles of freedom and equality, and providing peace and prosperity for its people,"¹³ is intended to become a permanent institution.

Among other things, the planned 'Iraq Consultative Group' comprising of the Iraqi Government and the development partners is to meet annually to deal with certain aspects under review and even every three months for other aspects.¹⁴ It is yet too early to judge the chances of realisation of this ambitious project owing to the country's catastrophic situation.

4. The Conflict between Iran and Saudi-Arabia over Hegemony in the Gulf Region

Iraq's two neighbours Iran and Saudi-Arabia are following the country's development with great interest. The chances for both of becoming the leading powers on the Gulf have improved owing to the weakened position of the third aspirant since 2003. Each of them holds a protective hand over one of the two large confessional groups in Iraq while still having an interest in maintaining Iraq's state entity because, in case of a collapse, there is a danger that one of the two competitors could benefit more than the other. Here perhaps, lies the biggest hope that both powers will participate in the initiative of the International Compact to redevelop Iraq.

A further modest hope is fed from a different source when looking in the direction of Teheran. Even when considering the advantage that the Islamic Republic has from a Shia-led Iraq, Iran still considers the presence of U.S. troops in Iraq a threat, particularly as they are also in Afghanistan and have a group of aircraft carriers stationed in the Gulf. This probably contributed to the exchange of courtesies between the Iranians and Americans attending the international conference on Iraq in March and May 2007 and - after nearly three decades - led to the first official meeting of American and Iranian diplomats on May 28th, 2007 to

10 Ibid. Page 40 et.seq.

11 Ibid. Page 42

12 UN-Press Release IK/552, 27 July 2006, <http://www.un-org/News/Press/docs/2006/ik552.doc.htm>

13 Such is the motto of the " International Compacts with Iraq" (Found on the Internet of 24/07/2007). Page 1:

http://www.iraqcompact.org/Document/INTERNATIONAL_COMPACT_WITH_IRAQ_FINAL_English_final_2_.pdf,

14 Ibid. Page 28 et seq.

fathom what both sides could do to improve the situation in Iraq. At a second meeting on July 24th the ambassadors agreed to establish a security committee composed of Iranians, Iraqis and Americans. ¹⁵

The Iranian desire to become the region's hegemonic power is also manifested in less pleasant facts: Teheran is trying, "intensely - by way of its ties with Syria and the support of organisations such as Hezbollah and Hamas - to influence the conflict in the Middle East."

¹⁶ The direct threats against Israel by President Ahmadinejad are part of this policy. The greater part of the international community treats Iran's unbending attitude in the conflict with the U.N. Security Council over its atomic programme, as no less problematic. The latter gives rise to a certain scepticism in connection with the resilience of the above mentioned meeting of ambassadors in Baghdad.

Saudi-Arabia, that safeguards the most important holy Muslim sites in Mecca and Media, considers the Shia clergy who have ruled Iran since the Islamic Revolution of Ayatollah Khomeini in 1979 as a threat to its own leading role in the Islamic world. As Saudi-Arabia is much weaker than Iran from a military point of view, the worry that Iran could achieve or possess the ability to develop atomic weapons has grown since the Iranians secured the technical know-how on the atomic fuel cycle. Accordingly, the heads of state of the Gulf Cooperation Council, in which Saudi-Arabia plays a leading role, declared at their summit meeting in Riyadh in December 2006, that, "they were planning a joint programme for the peaceful use of atomic energy." ¹⁷

Iran, who is not a member of this organisation, gave an indirect reply when - during a meeting of the World Economic Forum in Doha on April 10th, 2007 - it suggested in a ten point programme the creation of an organisation for security and cooperation in the Gulf region. The plan suggested that the organisation should embrace the member states of the Gulf Cooperation Council plus Iran and Iraq. Among other things, it suggested the creation of a common consortium for the enrichment of nuclear fuel and the peaceful use of atomic energy and seriously offered to cooperate in the creation of a weapons-of-mass-destruction (WOMD) free zone in the Middle East. Furthermore, the pull-out of foreign troops from the region was demanded. ¹⁸ The author is not aware if - and in what way - the member states of the Gulf Cooperation Council have reacted to these suggestions.

5. Further cross-border conflicts in the region

At least three other kinds of conflict have a cross-border character in this region even though they may not be of acute relevance throughout the region.

The *first* are conflicts in the semi-arid region over the more or less scarce commodity water. They play a serious role in the Arab-Israeli conflict as the Israelis have a decisively higher pro-capita consumption than the Palestinians. Israel is in a position to redirect the water of the River Jordan prior to the Palestinians while it covers its water requirements in the West

¹⁵ Compare: Frankfurter Allgemeine Zeitung, July 25th, 2007. Page 5

¹⁶ Compare: Asseburg/Steinberg (Footnote 9) Page 8

¹⁷ Ibid. Page 9

¹⁸ <http://www.mehrnews.com/en/NewsPrint.aspx?NewsID=468577> (found on May 2nd, 2007)

Jordan settlements by aquifer pumping from the water table that is the joint source of water for the Palestinians too. A fair solution of this problem was not included in the follow-up agreements to the Oslo accord and would still have to be agreed on. The peace treaty between Israel and Jordan does, on the other hand, list detailed regulations about the distribution and use of water from the River Jordan and its tributary the Yarmuk.

Yet the relationship between Turkey, Syria and Iraq is also impaired by problems concerning the share of water supplies. While Anatolia is rich in water, Syria and Iraq are dependent on water supplied by the Rivers Euphrates and Tigris which both rise in Turkey. Furthermore, Syria draws water from the Euphrates before it reaches Iraq. Turkey has been working on the South-eastern Anatolia Integrated Development Project (GAP) since 1980. It will comprise of 22 dams and 19 hydroelectric plants when completed by 2010. Turkey will, from this moment on, control the flow of water to both neighbours and will be able to exercise political pressure. However, in answer to Iraqi and Syrian protests, Turkish President Ozal suggested in 1987 building a 'Peace-Pipeline' to transport water to Syria and the Arab peninsula from the Rivers Seyhan and Ceyhan in Turkey.¹⁹ Yet the project never materialised. Instead, Turkey, by way of ship tankers, has in the meantime established itself as a major supplier of water to Israel.

The *second* are conflicts about cross-border exploitation of oil and gas fields and the routing of the pipelines. This is why the Rumaila oilfield played an important role in relation to the occupation of Kuwait by Iraq in 1990, and was used by Saddam Hussein as evidence that Kuwait was "actually" an Iraqi province. It is a fact that many borderlines in the region were drawn along existing pipelines when the legacy of the Ottoman Empire was portioned out. This is why repeated disputes over oil and gas wells resulted as they are not exploited in a joint venture like Kuwait and Saudi-Arabia do in the 'neutral zone'. Yet in this, as in other cases one could say: "The status of borders on the Arab peninsula is very fragile. Latent border conflicts (can) erupt at any time. This does not only apply to the neutral zone but just as well to the border between Saudi-Arabia and Qatar and the borders of Bahrain."²⁰

In this context, the *third* field of conflict, as yet latent, could become virulent: the conflict on Kurd autocracy. As is common knowledge, the Kurds are dispersed over four states: Iran, Iraq, Syria and Turkey. Only in Iraq do they command a status of relatively extensive autonomy and only in Iraq can they elect representatives in to the highest state offices. If, in the collapse of the Iraqi state a sovereign Kurdistan were created that controlled the Kirkuk oilfields, then this would have a great attraction on the Kurds in neighbouring states and would affect these states too. A dicey situation in multiple ways would develop if either an attempt were made to incorporate the areas inhabited by Kurds in neighbouring states into a possible Kurdistan, or if Turkey, Syria and/or Iran showed an interest in taking over the region.

19 Compare: Andrea Lueg: *Wasserkonflikte im Nahen Osten* in *Wissenschaft & Frieden*, Issue No.2/1992

20 Karin Kneissel: *Die Geopolitik des Erdöls und Erdgases: Kriegerischer oder friedlicher Zugang zu den Reservaten am Golf*, in: ÖSFK (Editors), *Krisenherd Naher und Mittlerer Osten*, Friedensbericht 2007, Vienna / Berlin 2007, Page 164

6. An interim résumé

Studying the reasons for and explanations of the outlined conflicts, they range from security policy, economics (oil and gas) and ecology (water) to problems concerning human rights (sovereignty of nations, the protection of national and religious minorities, the rights of refugees and displaced persons). There is hardly one case in which only one aspect has to be dealt with. Furthermore, not only are the same conflict parties involved in multiple controversies but there are far-reaching longstanding effects and interactions.

Among the numerous bilateral or multilateral attempts to achieve moderation or even a resolution of conflicts, even with the help of powers and organisations from outside the region, there are but few that have been successful and in a few cases success is still in the balance. The greater number of attempts has failed. The reason could be because, in most cases, an attempt was made to extract a certain aspect of a conflict from its larger context and resolve it on its own. Admittedly, the attempt of the multilateral Madrid peace process modelled on the successful 'track record' of the Conference on Security and Cooperation in Europe (CSCE) also failed. Perhaps, because it confined itself to the conflicts related to Israel.

II. Questions relating to the transferability of the success criteria of the 'old' CSCE to the Middle Eastern Region

The spectrum and interconnection of conflicts in the Middle Eastern Region have repeatedly suggested using the CSCE as a model for this region. Thus it is necessary to clarify what the success was and what aspects can be transferred. This is to be analysed next.

Without going into historic details of the process, it must to start with, be remembered that it lasted nearly two decades between the first Soviet proposition to convene a conference on questions of security in Europe in 1954, and the opening of the CSCE in Helsinki in 1972. Two decades in which the Cold War went through phases of high tension and careful attempts to ease tension. Only towards the end of the 1960s did the 'Dialogue of Communiqués' increase between Warsaw Pact meetings and NATO General Council meetings. Gradually, obstacles, such as the controversy over the structure of the conference and the unclear relationship between the two German states, were overcome.²¹

This interaction between a little progress and setbacks on the way to Helsinki answers the question whether the CSCE can have an exemplary function for a CSCME. Without considering the specific interests, the political constellation and the power structures of the Middle East it would be a mistake to just recommend a copy of the CSCE with its arduously achieved results after a long drawn-out historic process, its organisational structure and its mechanisms of arbitration.

What defined the success of the CSCE was not already in the concepts that the participating states brought to the opening meeting in Helsinki. Some aspects only become clear during an analysis of the CSCE process and which are in no small manner the result of a momentum

²¹ Compare: Götz von Groll/Berthold Meyer, *Noch eine Chance für den Verhandlungsfrieden. Lehren aus der KSZE für eine Konferenz über Sicherheit und Zusammenarbeit im Nahen Osten*, HSFK-Report 7/1996, Frankfurt a. M., 1996, Page 5 et seq.

that was promoted by several states who wanted to achieve a successful conclusion of the process. To answer the question, whether and how far CSCE structures and procedures can be transferred to the Middle Eastern Region, it is necessary to first study some factors and parameters that were decisive for the success of the CSCE, ²² and then analyse whether similar prerequisites exist in the Middle Eastern Region. The prerequisites are above all:

- The possibility of *geographically defining the region* that, at the centre of negotiations, makes sense in a *security political* context and securing the participation at the conference of all powers involved in the relevant regional conflicts.
- The existence of '*important*' actors inside or outside the region who are able to take on an initiative (sponsoring) and / or mediation function.
- The *willingness of the region's conflict parties to refute the use of force* and the willingness to treat future developments as an open affair, so that borders and areas of influence may be changed *as the result of a peaceful transition*.
- A broad understanding of security by the actors, that cooperative behaviour can achieve and include *common security* and that by tying 'parcels' together a complementary reconciliation of interests can be achieved, and finally
- The willingness to accept the *principle of consensus in decision-making*, and thus the willingness to submit oneself to a *long process* of a step-by-step reconciliation of interests, the willingness to accept the confidence-building effect of verifiable agreements and the willingness to submit oneself to the necessity of justifying ones actions in negotiations concerning questions of implementation.

1. Is there a plausible security policy borderline in the region?

The nominal number of participating states at the CSCE was 35. Yet its negotiating structure was insofar relatively simple as it was defined by the two alliances NATO (including the North American partners) and Warsaw Pact and a number of neutral and non-aligned states that became an intermediary group during the negotiation process. A further aspect was that, the finitely very significant confidence-building measures, did not apply to the entire area of the participating states but in the case of states whose territory extended further than Europe (the Soviet Union and Turkey) only covered a 250 kilometre wide strip along the borderline to other European states.

Unlike the Cold War in Europe we are - in the Middle East - not dealing with:

- Two, more or less balanced, power blocs each led by a superpower
- Two power blocs along a partly internationally recognised, yet clearly defined borderline, and
- Two power blocs representing competitive economic and social models.

²² Compare: Peter Schlotter, Norbert Ropers and Berthold Meyer, *Die neue KSZE. Zukunftsperspektiven einer regionalen Friedensstrategie*, Opladen 1994. Especially: Pages 100-106.

As mentioned in the introduction, the situation in the Middle East has been dominated by the antagonism between Israel and the Arabs for decades and is much more complex. Added to this, are the inner-Arab conflicts and the conflict between Saudi-Arabia and Iran over regional hegemony, to name only the most outstanding. Insofar, the Middle East can be characterised as a 'fragmented region of conflict' where the conflict parties and coalitions differ depending on the content of each conflict.²³ This is a basic structural difference to the 'old' CSCE.

A further difference must be taken into consideration: the CSCE was limited to reducing East-West-confrontation. This only required the convening of state representatives at negotiating tables in Helsinki and Geneva. They could, therefore, dispense with inviting non-state parties of virulent conflicts that had, in part, developed during the CSCE process such as in Cyprus, Northern Ireland and the Basque Country as well as other places, because these conflicts were irrelevant compared to the overall threat of a nuclear war.

In contrast, a purely *intergovernmental* CSCME would only insufficiently reflect the power structures in the region. Two conflicts in the region are specifically characterised by the fact that respectively one of the nations involved is denied statehood. This problem has changed as far as the Palestinians are concerned through the recognition of the PLO as the legitimate representative of Palestinian interests in the Oslo agreement of 1993. There is a fundamental difference as far as the Kurds are concerned, who are dispersed over four states, and who only have state representation in Iraq while the Kurds in Turkey and Iran are suppressed and those living in Syria are marginalized. However, the Kurds do not have a cross-border common representation that could voice a legitimate claim for participation.

Even if one limits oneself to more or less dealing just with states and - at the onset of a CSCME - make an exception as far as the Palestinian president, legitimised through democratic elections, is concerned, it would still not be easy to achieve agreement on the definition of who belongs to the 'Middle Eastern Region'. On all accounts Turkey, Syria, Lebanon, Israel, Jordan, Egypt, Saudi-Arabia, Yemen, Oman, the United Arab Emirates, Qatar, Bahrain, Kuwait, Iraq and Iran should be included.²⁴

23 Compare: Frank Schimmelfennig, *Konferenzdiplomatie als regionale Friedensstrategie. Lässt sich das KSZE-Modell auf den Vorderen Orient übertragen?* Hamburger Beiträge zur Friedensforschung und Sicherheitspolitik, Issue 60 / 1991, Page 14.

24 This is the definition of the National Geographic Society. Compare: Meyers Enzyklopädisches Lexikon, Volume 16 (1976) - Keyword: *Naher Osten*.
In contrast, the 'Islamic-Oriental World' is traditionally defined as stretching from Turkey in the North to Sudan in the South, from the West Sahara to Iran in the East.
Furthermore, since the dissolution of the Soviet Union and the achievement of sovereignty, there are considerations that the Transcaucasian and Central Asian states that can largely be considered part of the Islamic cultural circle, be counted part of the Middle East.
Claudia Schmid divides the entire region into four large sub-regions that also represent geographic conflict zones: Central Asia, Mashreg (as the literal Middle East), the Gulf Region and the Mahgreb. Compare: Claudia Schmid: *Der Palästinakonflikt: wechselnde Spannungsgrade - veränderte Konstellationen - neue Friedenschancen?* in Christopher Daase et al. (Editor), *Regionalisierung der Sicherheitspolitik. Tendenzen in den internationalen Beziehungen nach dem Ost-West-Konflikt*, Baden-Baden, 1993, P. 262 et seq.
The area stretches even further in the 'Greater' later titled 'Broader Middle East and North Africa' initiative of U.S. President George W. Bush. "From Marrakech to Bangladesh" Compare: CRS Report for Congress: *The Broader Middle East and North Africa Initiative: An Overview*, Order

If one wishes to include security policy criteria alongside geographic ones for the inclusion or exclusion of participants, it would be necessary - similar to the CSCE - to pay attention to alliances or structures serving as a deterrent. This is incredibly difficult but can, however, be disregarded if one takes into consideration that the third group of the CSCE, the neutral and non-aligned (N + N) states, did not participate as a group from the onset.

These reflections show how difficult it is to treat the entire Middle East as a coherent security policy region as was possible with the 'old' CSCE. This aspect would suggest that it would be better, rather than holding *one* conference for all conflicts and problems of the region, to initiate a range of conferences, that would be held parallel to one another and at the same venue but with different participants working on the solution of one problem at a time (see below III, 3). The entire structure could, however, still be termed CSCME because of its common venue and its united initiative.

2. Who could take over certain key roles?

A further question is closely linked to the question of regional affiliation, namely, whether and if so, which states and international organisations, that are not part of the region, should also participate in a CSCME. Either because they have traditional links with the area or because they carry weight as far as security policy is concerned or because they are able to fulfil a similar mediatory function as the N + N states did in the framework of the CSCE process that substantially contributed to its success.

If we start with those who carry political weight in security policy questions then the representatives of the Middle East Quartet would, so-to-say, take a seat at the conference table at their own invitation. As is to be duly expected of coordinators or moderators, both the U.S.A. as well as Russia will only be able to play a limited role. The latest declaration of intent by the U.S.A. to increase military aid to the states on the Arab Peninsula as well as to Egypt and Israel so as to counteract the hegemonic ambitions of Iran²⁵ will only heighten tension in the region, at least for a while. Furthermore, there is a possibility that both Russia and, somewhat aside from the Quartet,²⁶ China whose support of the policy of the U.S.A. and the European powers in the Security Council towards Iran was only arduously achieved, could change their position.

Apart from this, it should not be ignored that the U.S.A. and Russia as well as the E.U. have their own interests in the region, that are only inadequately described by the label 'stability and peace', even though both aspects contribute to securing their supply of oil. This is common knowledge among the parties directly affected. Even though they cannot turn down the invitation of the three powers to the conference they will look upon the initiatives of the three to be hardly altruistic.

Code RS 22053, Feb. 15, 2005. <http://italy.usembassy.gov/pdf/other/RS22053.pdf> (Found on the Internet: 14/07/2007).

²⁵ Compare: Frankfurter Allgemeine Zeitung 30/07/2007, Page 1

²⁶ As the United Nations are represented by its Secretary General, who coordinates his work with the Security Council, China - as a permanent member - is indirectly represented in the Quartet.

No opinion is to be voiced, whether it was a wise choice to appoint Tony Blair as the Quartet's Middle East envoy. As long as the appointment is limited to the Israeli-Palestinian conflict it should be less problematic than if the Quartet would make itself the initiator of a conference for the entire region. In this case, Blair's close brotherhood in arms with Bush in Iraq since 2003 would be more of a burden.

Generally speaking, it should be clear to western states that their ideas on a Middle East peace are only partially in accord with the parties directly involved,²⁷ and their model of democracy has lost its glamour in the Islamic world owing to the American activities in Iraq (and Afghanistan). They would probably do themselves and the advance of a peace process the best service if they would stay on the sideline prepared to offer their good services when necessary both in the preparation of, as well as during the conference. This would also lessen the risk that the diverse well-meaning onlookers would mutually try to outbid each other and thus hinder the conflict parties in developing the necessary consciousness that it is *their* conference that will lead *them* to success.

A similar function to the primary approach of the Middle East Quartet has, for some time now, been accrued by an informal group of Arab states: Egypt, Jordan, Saudi-Arabia and the United Arab Emirates who, after having already proven their commitment to reanimate the Middle East peace process, have been titled the 'Arab Quartet'. As all these states belong to the region themselves, they should not - owing to their own interests - serve as coordinators during the conference. Yet, they are in a position and willing to assume a mediatory function between Israel and those Arab states that have - up to now - not politically recognised the Jewish state. This is only partially possible as far as Saudi-Arabia is concerned because of its conflict over hegemony with Iran.

If the U.N. and the E.U. as international organisations are involved, the question arises which role can or should other organisations, especially the Arab League (LAS) play. It doesn't count as one of the 'heavyweights' among international organisations, but its general secretary Amr Moussa is definitely one of the people who, without a doubt, should play a representative role at the opening and closing sessions. Depending on the geographic definition of the region, most of the League's member states would be among the parties directly affected anyway. This would, however, hardly apply to the Mahgreb states as it would not be necessary to include the problems of this sub-region in the negotiating process as there are already enough questions to be resolved. Yet it might still be helpful to turn the Arab Quartet into an Arab Quintet by including Morocco, as this country has had diplomatic ties with Israel since 1994 and its King Mohammed VI, owing to his descent, is held in high esteem throughout the Islamic world.

In the search for powers outside the region who could take the initiative with a high chance of success, attention is drawn to India. Its advantageous position in the match of the great powers has been put in a nutshell by Harald Müller: "India gets on with everyone better than they get on with each other."²⁸ India has traditionally played an important role in the Third

²⁷ Compare: Volker Perthes, *Integration oder Trennung? Die Logiken des nahöstlichen Friedensprozesses*, in: *Internationale Politik*, Issue 7/1995, Pages 55 en seq.

²⁸ Harald Müller, *Weltmacht Indien. Wie uns der rasante Aufstieg herausfordert* Frankfurt a. M., 2006, Page 310.

World and is linked through good diplomatic and economic ties with the conflict related states of the Middle Eastern Region including Israel and Iran, even though there is some tension at present in the case of Iran. India is able to cooperate with Israel in the military field as long as it treats its large Muslim minority of a notable 150 million well (and while China above all, behaves badly towards its Muslims).²⁹ Because of the ambivalent roles of both the Middle East Quartet and well as the Arab Quartet it might be surprising and yet surely useful if India, as a potential moderator, would take the initiative and hold preliminary talks in New Delhi.

3. Can the willingness to renounce the use of force and the willingness for peaceful transition be expected as content-related prerequisites?

Of central importance for the accomplishment of the bilateral and multilateral policy of détente in the CSCE region was the acceptance by all parties beforehand that, "any attempt to change the status quo by military means would have lead to a (nuclear) catastrophe.

Furthermore, both sides had made the costly experience during the Cold War that it was also impossible with other strategies, such as, for example, confrontation or containment, to change the territorial or economic status quo."³⁰ This doesn't mean that the option for change was abandoned, but rather that the western concept of "change through rapprochement" banked on a policy of cross-system cooperation to make internal changes in the East possible.

In the relationship between East and West, the nuclear risk was decisive for the Cold War changing into an era of détente. This could also prove to be a turning point in the Middle Eastern Region. Israel has never officially admitted to being an atomic power since the 1960s. But leaving this question unanswered, the small country succeeded in creating an invisible but highly efficient deterrent towards its neighbours. If Iran now denies wishing to develop atomic weapons but maintains its will to have its own atomic fuel cycle, then a kind of checkmate could develop between Israel and Iran which would have to be dealt with when negotiations begin.

As mentioned, Israel has only signed peace accords with Egypt and Jordan. There have been statements of intention concerning the renunciation of the use of force between Israel and the PLO since 1993 and even Hamas declared temporarily and unilaterally to forgo the use of force in Israel in 2005.³¹ However, such statements have not led to any kind of cessation of the direct use of force in the former British mandate Palestine that could in any way compare to the CSCE region in the 1970s and 1980s.

Violence in the shape of terrorism also plays a role in other regions of the Middle East on a level below intergovernmental relations. As it is highly unlikely that anybody would trust a statement by someone on the renunciation of the use of force who he considers to be a terrorist, the vicious circle of distrust is difficult to overcome. In so far as such statements

29 Ibid. Page 312

30 Schlotter and others (Footnote 22) Page 101.

31 Moderate politicians of Hamas even offered Israel a ceasefire for decades. Compare: Perthes (Footnote 8), Page 8

are at all rendered, they are hardly capable of achieving a level of security in the forefield of a CSCME that certain parties require as a prerequisite for negotiations or for offering concessions. This is why confidence building, based on the readiness to some degree to take risks, is a very slow process in a setting defined by a high level of violence and could possibly only be achieved anyway through negotiations.

4. Can the method of the CSCE to link complementary interests with the aim of common security be repeated?

During the negotiations in Geneva to prepare the final draft for the signing ceremony in Helsinki, it was above all clear that to achieve a balance of interests between East and West it was of vital importance that 'parcels' on topics much more far-reaching than security be tied together because the aims of all parties concerned were in this case complementary: the East strived, apart from the recognition of the territorial status quo, for an increase in the efficiency of its economy by way of importing capital and technology from the West. The West wanted to embed Soviet foreign policy that had been responsible for so many crises after World War II, in agreed codes of practice as well as achieve a greater measure of freedom for people and the exchange of information. Of course, the West also had an interest in accessing eastern markets yet the agreements in CSCE Basket II were, in this context, relatively marginal. All in all, this was alleviated by "the characteristic method of the CSCE process to find balanced compromises through reducing necessary negotiations by placing major and minor points of the large East-West-conflict into different 'baskets'." ³²

This procedural approach by the participating states of the CSCE was, from the onset, at least rudimentarily based on the recognition by the different parties that security in the atomic age could no longer be achieved through military build-ups but rather through common action. Thus, there was a search for areas where, parallel to direct dealings on settling conflicts, common action could be rehearsed and, across block divisions, ways of behaviour be developed that, even in the event of future crises, would be upheld by both sides as something of great value. This was, at least for the West, along with the aspiration for security, an intricate part of the conference's concept.

There are, without a doubt, numerous topics or problems that are of common interest to all or some of the possible participants of a CSCME and could be jointly dealt with. Many of them, such as water and energy supplies, the development of a transport infrastructure, tourism and industrialisation were already on the table of multilateral workgroups in Madrid and at the E.U. Barcelona initiative.

However, the interest of Arab states in associative solutions that correspond to western peace logic, and that are partly shared by Israel, is not highly developed. This has to do with the fear that Israel's leading economic role could be further cemented. Therefore, further and perhaps other incentives are required to expedite Arab willingness to partake in agreements of mutual benefit. This should, by all means, be attempted in the context of a rule of conduct, accepted by relevant participants or all parties in political and even military fields. In the wish that certain experiences of the CSCE should take effect in the Islamic world, it must

³² Schlotter and others (Footnote 22) Page 105.

be recognised that cultural differences also demand a different approach to solving problems.

The important thought of the CSCE was 'common security'. It first required the willingness to talk to each other. This is only possible between representatives of states or other entities that consider their opposite to be a legitimate representative of an entity that is not, at least from the onset, to be eliminated. This is hardly possible as long as mutual demonising, in the narrow sense of the word, prevails. If, however, direct talks between participants at a conference are not possible, then they must at least respect the 'rules of the game', by which moderators play the role of information carriers to uphold the conference.³³

5. Will there be sufficient willingness to accept the principle of consensus in decision- making and to participate in a lengthy process?

When speaking of the role model that the CSCE plays, it should be remembered that both the lack of having to commit oneself and the voluntary participation featured high in the first CSCE documents. Thus, the participating states only gave their delegations, at the end of the follow-up meeting in Madrid in 1983, a mandate that the drafting of future steps in confidence and security building should be "militarily significant", "politically binding" and have an "adequate method of verification". Furthermore, the final documents and all follow-up agreements were political statements of intent and not mandatory documents from the point of view of international law.

There was hardly any other way of achieving a consensus among 35 states and their national interests, on a plenitude of standards of conduct and principles. Consensus does not mean the right to veto. One can accept a decision even if one has misgivings. If they are, in one's national context, that serious then one has to convincingly present them (in the case of the CSCE in writing) to avoid a resolution being passed.

The principle of consensus gave each participant an equal standing and also ensured that neither of the state groupings, NATO and Warsaw Pact, could afterwards feel that they had been taken advantage of. It also ensured that the small group of neutral and non-aligned states had to be taken seriously. Only in this manner, was it possible for them to offer mediation proposals that could not just be brushed aside. As the phase of commission meetings was under no timeframe, the diplomats were in a position to debate questions to the end so as to find a consensus that suited all. This meant that even before the process, that was later called the 'CSCE-Process', began, it was clear that one had to accommodate oneself to the fact that the negotiations would take long.

The principle of consensus was dealt with here in great detail because it would also be an essential aspect of a CSCME. Otherwise, Israel - even if a qualified majority vote was agreed on - would be continually outvoted, because it either, at present, operates with no 'allies' or from case-to-case with just a few allies in the region. The result would be that Israel would either leave the conference or not take part. The same necessity to embed the principle of

³³ A good example of how this can successfully work, aside from conferences, is the Swiss ambassador's function as *chargé d'affaires* for the U.S.A. in Teheran since 1979.

consensus also applies to Iran and Turkey who would be faced with an overwhelming majority of Arab states.

Furthermore, it is important for developing a basis of trust that the participating states are prepared to continue the multilateral process initiated at the first conference, for the purpose of a "deepened exchange of opinions" about the fulfilment of the provisions of agreements and the execution of the tasks laid down by the conference. This wording acts as the basis for the follow-up meetings and their initial debate on questions of implementation before the negotiations continue. The above mentioned 'International Compact with Iraq' at least shows that there is a willingness among the states in the region to sign documents with such intentions.

What partly contributed to the success of the CSCE model was that, during the preparatory phase from 1972 to 1975, the diverse problems and their perspective methods of resolution were compiled into 'baskets', covering the fields of security questions, economic & environmental questions and human relations. During negotiations on the baskets, it was possible for the participating states to negotiate cross-basket package deals according to their specific positions of interest. This concept, in an adjusted form that reflects the different conflict constellation, could be taken up by the participants invited to a CSCME.

At that time, it was meaningful for solving the great East-West-conflict, taking the block structure into consideration, to work towards a comprehensive final draft treaty that embraced all baskets. As the Middle Eastern Region already has agreements that are at different levels of realisation - where not the implementation the hitch - a similar conditioning would under certain circumstances, be counter-productive. On the contrary, the adoption of individual agreements could boost other elements of the conference true to the motto: "Nothing is more successful than success."

III. Sub-regional or multilateral: an individual approach to conflicts, a large conference or a compound conference?

Considering how understandings on ceasefires, peace and cooperation were achieved in the Middle Eastern conflict region, there appear to be two extremely different procedures. A third procedure could prove to be a groundbreaking alternative.

1. The sub-regional approach

The first scenario assumes that the outlined present attempts to resolve individual conflicts will be continued. The following situation might develop in a short space of time.

Under the leadership of the American president, the Middle East Quartet would be successful in initiating a Middle East conference alongside the U.N. General Assembly in New York in which Israel and the Fatah-led Palestinian government as well as several neighbouring Arab states would be involved. In this process the Israeli and Palestinian leaders would be pressed to at least condescend to minimal progress that would envisage Palestinian statehood, at least maintain the larger Jewish settlements on the West Bank and would probably not achieve agreement on the refugee and Jerusalem questions.

The implementation of the agreement would be just as sluggish as with earlier accords. The result would be dissatisfaction among Israelis and Palestinians, which would probably have a negative effect at the next elections for the present leaders on both sides. As Hamas would not accept the agreement it would not apply to the Gaza Strip. Subsequently, further violent incidents would be expected along its borders.

Parallel to this, there would be an offer by the Arab League to recognize the Jewish state and exchange ambassadors if it pulls out from all territories occupied since 1967. This would lead to talks that would, however, for well-known reasons lead neither to recognition nor to new diplomatic ties.

A conference would after all be held as the result of intensive efforts, especially by German Foreign Secretary Steinmeier, after Israeli Prime Minister Olmert's offer to Syria's President Assad to revive negotiations on the Golan Heights would at first have failed because of Israel's demand that Syria break off its ties to Iran.

As the modalities of a return of the Golan Heights to Syria had been settled at earlier secret talks, an agreement could be achieved quite quickly. However, as Syria would not willing to be dictated to about whom it has friendly ties with, it would not react to Israel's demands to break with Iran and Hezbollah. As a result Israel would hesitate in handing back the Golan, which means that no overall positive result would be achieved in Israeli-Arab relations.

Attempts by the U.N. and the E.U. to strengthen Prime Minister Siniora's government in Lebanon would lead to nothing as an agreement could not be achieved, without Syrian acceptance on stationing UNIFIL troops along the Syrian-Lebanese land border. This means that the smuggling of weapons for Hezbollah would continue.

Since May 2007 the Iraqi government and the donor countries have been trying to fill the 'International Compact with Iraq' with life and to apply the control mechanisms.

Yet, domestic violence in Iraq has not declined significantly, and the troops stationed in Iraq are still being attacked. Not much is being achieved against the terrorists that threaten both the troops as well as the hard-pressed Iraqi government. As President Bush is not willing to let either Congress or third parties interfere with his military policy in the Gulf state, the troops remain for the moment. The situation could change in January 2009 if an elected president of the Democratic Party gives orders to implement a feasible withdrawal concept.

The present two meetings of the trilateral American-Iranian-Iraqi talks have only a limited focal point. Whether they have a future at all is unclear since the U.S.A. announced its intention to decisively increase military aid to Saudi-Arabia.

The attempt by the Western powers to enforce sanctions, while at the same time negotiating with Iran on ending its nuclear ambitions, are doomed to fail, after Russia and China have rejected a toughening of sanctions as a result of the increase in military aid to Saudi-Arabia by the U.S.A. .

2. The large all-embracing conference

The second scenario assumes that several influential personalities in important international organisations or from powerful states inside or outside the region will realise that many problems in the Middle Eastern Region are directly or indirectly related to each other and

can, therefore, not be pulled apart by single-handed sub-regional attempts, but rather more, should be dealt with in the framework of a larger conference.

All the above mentioned countries or the most influential among them could express an official invitation to such a conference in a place that emanates the atmosphere of the CSCE, say Helsinki or Vienna, and present a framework of topics that, like in 1972, would be split into baskets, in which each state could place its demands and methods of resolution. The baskets could deal with: 1. Principles of Security and Cooperation. 2. Cooperation in Environmental and the Economic Questions. 3. The Human Dimension. 4. The Consequences of the Conference.

The conference's hosts succeed, with a great deal of persuasion, to bring high representatives of all the states from the Middle Eastern Region as well as the Palestinian National Authority and the representatives of other important institutions to the venue. However, the representatives of Israel and Iran have made quite clear that they, under no circumstances, wish to meet each other, including sitting at a conference table in the same room. As a result, an architectural alteration is made that allows both representatives to take part in the conference from half-open adjoining rooms without having to see the other delegation.

This is not the place to enter into all details. However, as far as the central topic, the principles of security and cooperation are concerned; it would be desirable that a code of conduct, similar to the CSCE declaration of principles, should be adopted. This need not, in the first round of negotiations, be as comprehensive as in the closing CSCE document. One should bear five principles in mind: renunciation of force, peaceful settlement of controversies, non-interference in internal affairs, inter-governmental cooperation and the respect of international law and ratified agreements. Such a catalogue, accepted by all participants, would be a great success.

As the majority of these points are already contained in the United Nations Charter, it would, above all in the context of inter-regional relations, be important that they are affirmed. Special emphasis should be placed on adopting the last clause of CSCE Chapter VI on 'Non-Interference'. In this chapter the participating states guarantee each other that, "they will abstain from the direct or indirect support of terrorist activities, subversive or other activities that are directed at the forceful overthrow of the government of one of the participating states."

On the other hand, the entire enterprise could be obstructed, if, during the first round of the conference, an agreement was demanded on such controversial principles as the equal sovereignty of states, the absolute respect of existing borders, territorial integrity and the self-determination of nations as well as a contextual definition of human rights criteria concerning the freedom of thought, conscience and religion. Especially in the field of human rights there is a necessity for a cautious inter-cultural dialogue that is neither overshadowed by other topics of a CSCME or in danger of becoming a topic for *bargaining on* with other topics.

The principle of equal sovereignty of states can probably only be debated at a CSCME when the final international status of the Autonomous Palestinian Territories has been clarified. The same applies to the closely related principle of respecting existing borders, the territorial integrity of states as well as the principle of the self-determination of nations that is critically

related to the aforementioned principle. It will be difficult to negotiate these principles as long as questions relating to Israel's borders to Lebanon and Syria are not settled and the question of the Kurds is not resolved.

However, the CSCE clause in Chapter I of the final document on the "peaceful adjustment of borders" could be useful for a CSCME. It states: "They (the participants) are of the opinion, that their borders, in accordance with international law, may be altered by peaceful means and by agreement."

As far as there is success in holding the conference at all, its progress will be at least as slow as the CSCE was. This could be a flaw, considering the pressure on the participants to resolve the problems concerned and could even lead to the conference failing even before the first closing document is signed.

3. A compound conferences with 'tents' rather than 'baskets'

The third scenario also assumes that the context between the region's conflicts must not be neglected, if, by way of a conference, the attempt is made to find sustainable solutions and create a basis for cooperation. There is a further assumption that is important, namely, that the conflict parties make the intended conference 'their' conference, so that it can be successful.

The parties preparing a comprehensive conflict embracing CSCME are, therefore, trying to choose a bottom-up rather than a top-down approach that was described in the second scenario. This is perhaps easier to achieve, if the preparatory conference is not conducted by the foreign ministers of the states concerned and other high-ranking representatives of international organisations, but by the political directors of the respective foreign offices and similar top civil servants.

Depending on who takes the initiative, whereby this must of course be a president or a group of high-ranking personalities, several large tents would, at the onset, be erected at a more or less neutral place of suitable status in the region, where the headings of each of the conflicts listed in Chapter I would be attached to each entrance. The next step would be that the representatives of all states in the region, including the Palestinian National Authority as well as further relevant organisations, including the political wing of Hamas and Hezbollah,³⁴ would be invited to deposit in the respective tents the conflict-related topics they wish to address to the other potential participants plus their own offers of initiatives.

The next step would then be taken by the moderators, one for each tent, with expertise in the relevant fields, who could have either a political or academic background and come, for example, from one or several states of the region, or from the Middle East or Arab Quartet or from India. They would then invite representatives of the parties directly involved in one of the conflicts, to take a seat in 'their' respective tent. In cases where it is not possible for the parties in conflict to be brought together directly, a further tent would be needed for the

³⁴ Both of these organisations have stood for election and were voted into power. Therefore they are fundamentally different to clear-cut terrorist organisations such as Islamic Jihad or al-Qaida, who, of course, should not be invited to the conference.

conflict concerned, so that both parties can participate separately. In this case the moderators would have the role of intermediaries.

Each moderator, being responsible for a specific conflict, would attempt to get talks going between the parties concerned, about solving the pooled problems and ideas. In doing so, it could sooner or later become necessary, so as to achieve progress on this or that question, to include states or organisations, that are not part of the tent concerned but, with great probability, would shortly be involved in matters of another tent and would therefore soon be involved anyway. The possibility of informal talks across all tents should exist alongside regular sessions. This would offer the participants the possibility to perceive perspectives for solving their own problems that would otherwise not be recognized in a dialogue limited just to the conflict parties.

The moderators of each tent meet at regular intervals, for example once per week, to have an exchange on their given progress. At the same time they can learn of communication deficits in each of the tents. This puts them in a position, when it appears necessary, to arrange ad hoc comprehensive workshops or working committees to find solutions.

When conflict parties have achieved an agreement in one of the tents that appears both to them and the moderator as suitable to be drafted for signing, then they can either go ahead or arrange for a ceremonial event with the foreign secretaries attending. Such an intermediate success could boost either the entire conference or parts of it. But apart from this, the same tent can continue to deal with other problems that are not yet ready to be drafted and signed. At the same time, the negotiations continue in other conflict tents at a suitable pace.

The compound conference has a common start and can therefore be termed a CSCME, yet each of its parts is independent of progress or conclusion in any other of its segments.

4. Conclusions

If one compares the three scenarios, it appears that the first one, in continuing the present policy of negotiating individual and partial conflicts, does not all-in-all, give rise to fear that the present situation could deteriorate. However, at the time of writing this manuscript - July 31st, 2007 - there is a big question mark over reactions to the plan of the U.S.A. to increase military aid to the region. The first scenario does not give rise to hope that it could have a positive effect.

The second scenario points to two problems. On the one hand it illustrates the problems relating to seating the delegations, so that it can hardly be considered possible to bring all conflict parties in the region to a common table. Furthermore, social groups, even if they were more moderate than Hamas or Hezbollah wouldn't fit into the structure anyway. On the other hand, the suggested specification of a code of conduct, taken over from the CSCE, and the splitting up of topics between those that are relatively non-controversial and others that first require a status in international law, makes clear that it will probably be a prolonged process to get as far as the Decalogue of Principles of the final draft of the CSCE agreement.

For both reasons, the hope that existed shortly after the Oslo agreements about the relatively prompt creation and development of a 'large' CSCME must be wound down, owing, not least of all, to the traumatic situation that has resulted from the second Intifada and the

enormously violent structure of the internal conflicts in Iraq. This does not mean that there is no use in working towards such a conference, but in a different way.

This is what the third scenario represents. It is the attempt to draw conclusions from the inadequacy of a conference diplomacy aimed above all at partial conflicts and to choose an innovative path. At the same time, it adheres to the aim of a 'big' CSCME to comprehensively resolve all conflicts. Yet attention is first of all directed towards solving partial conflicts and then on drafting an agreement on a general code of conduct. This has the advantage that the conflict parties and the moderators can deal with 'their' fields faster and, in certain areas, perhaps even achieve agreement.

It would, therefore, be possible to transfer negotiations, mentioned in the first scenario, to the tents of the third scenario. There could be a new chance in working together in one venue and having the opportunity to inter-connect the conferences. Wherever agreement in a specific area is achieved, the moderators could suggest that the conflict parties include in the draft a kind of preamble with the general code of conduct of the old CSCE respectively the code of the U.N.. A further advantage is the bottom-up method of this scenario. It incorporates in the context of the conference, relevant social groups, yet no clear-cut terror organisations. This would be hardly possible in the context of a 'large' CSCME. Without the inclusion of such groups it will not be possible to solve the complex conflicts of the Middle Eastern Region.