

Palestinian National Liberation Movement - Fateh

**The Historical Risk And
National Safety Devices**

By

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INTRODUCTION

The Palestinian Question has never encountered an issue of such extreme controversy in opinions and attitudes, as that which followed the announcement of the Declaration of Principles (DoP). The DoP emerged after secret negotiations in Oslo, between members of the Palestine Liberation Organization (PLO) and Israeli government officials. The controversy created by the Oslo Agreement brought about confusion and chaos in the Palestinian arena, at both the grass roots and leadership levels, spilling over to include the general public.

However, both the method in which the negotiations were conducted and the way the results were announced had a major role in aggravating the controversy. The Agreement, with all its annexes, was published in Israeli papers on the eve it was submitted to the Israeli government, who immediately endorsed and adopted it. Meanwhile, members of the Executive Committee and members of the Central Committee of Fateh were kept in the dark.

The first draft of the text which preceded the Agreement on mutual recognition between Israel and the PLO, had elicited significant opposition to its contents. It ignored many of the constant principles the Palestinian negotiating team in Washington had sought to safeguard as “taboo” issues upon which compromise is impossible. These issues are considered beyond debate and include first and foremost Jerusalem, settlements, sovereignty and so on. The Agreement on mutual recognition, together with the major concessions related to the National Charter, including succumbing to Israeli conditions concerning the Intifada (Uprising), and armed struggle, added new elements to the controversy.

The rift caused by the agreement was profound. Then came the celebration for signing the agreement at the White House on September 13, 1993 to bridge this rift. The official ceremony played a major role in egging the masses to support the agreement, without

prior knowledge of its texts or stipulations. The appearance of Yasser Arafat's picture at the White House and the raised Palestinian flags - no longer forbidden - were regarded as a true acknowledgment of an independent Palestinian nation. This is how the masses as well as the Israeli opposition viewed it. This led the opposition to mobilize their resources and influence to fight and abort the agreement.

The rift was great among the members of the Executive Committee of the PLO. Half of the members opposed the Agreement, some resigned while others refused to participate in the meetings. The Central Committee of Fateh discussed the Agreement, but did not reach a decision on whether to reject or accept it. Instead the Central Committee decided to submit the Agreement to higher decision-making bodies. Although the Central Council had approved the DoP in its meeting on October 10, 1993, The Council withheld endorsing the Agreement on mutual recognition. This was based on the reasoning that all matters related to the Charter fall within the jurisdiction of the Palestinian National Council.

It became obvious that the disappointment, despair and deadlock the negotiating team faced in Washington was the catalyst that led to the Central Council's adoption of an agreement that lacks guarantees for implementation. Apart from the agreements' comprised seeds of failure, especially concerning the issue of settlements. It was hoped that the Agreement would rescue the PLO's deteriorating condition, reinforce the concept of Palestinian unity, and act as an indicator for the strategic transformation in the Zionist movement's ideology. The method in which the negotiations were conducted in Taba and Paris, in addition to the form and substance of the Agreement was proof enough that the Israeli government was not serious about the peace process or its recognition of the PLO. Instead, Israel sought to impose an agreement for the capitulation of the Palestinian people. Thus the agreement would be subjected to a grave and rapid failure. The Cairo Agreement, with all its prejudices and injustices, acted as an alarm signal for the Zionist extremists in the ranks of the army and among the settlers. This, in turn, led the Zionist extremists to strike the fatal blow at the Al -Ibrahimi Mosque in Hebron on February 25, 1994. Therefore it was both foolhardy and a waste of time and blood, for the Palestinian team to return to the negotiations under the same

conditions as prior to the crime. Eliminating the factors that could lead to failure - mainly the issues of settlements and Jerusalem - will pave the way towards reaching a final solution. This will boost hope, as it will help to overcome obstacles.

Throughout the current Palestinian struggle, Fateh movement has born the historic responsibility for all positive and negative aspects. The PLO should shoulder the full burden of repercussions of the peace process between the PLO and the Israeli government. Thus, Fateh realizes the importance of taking into consideration the changing variables that have emerged and will emerge in this strategic conflict. The strategic conflict will be between the Zionist entity and the Palestinian people on the one hand and the Arab and Islamic nation on the other . The matter needs to be dealt with, while taking into consideration the dynamic variables, and by employing tactical maneuvers that would serve the general strategic plan. The agreements should be utilized within the PLO's counteractive plans at this stage of strategic retreat, to stand in the way of imperialist and Zionist plots to annihilate the Palestinians and impose Zionist hegemony in the region. The utilization of these agreements requires both precaution, awareness and holding onto alternative strategies which remain the only guarantees for the success of plans to counteract annihilation. It also requires paving the way for the general strategic struggle in order to achieve its objectives.

Fateh usually expresses its official stands through statements issued by the Central Committee, the Revolutionary Council or the General Congress at the end of each of their meetings. In addition to the statements by the Central Committee, Fateh's central publication expresses its general position abiding by the decisions taken by the Central Committee, the Revolutionary Council and the General Congress.

In order to explain:- The way Fateh's mechanism works; its initiating of events and its interaction with them; the mechanism for taking decisions at historic turning points (while taking all the necessary precautions and ensuring national safety devices), also, the way Fateh dealt with the settlement process in general and with the two agreements (mutual recognition and the DoP); it becomes necessary to review the following subjects:

- First:** The historical background for the DoP, and the Gaza-Jericho First Plan.
- Second:** Points of strength and weakness in the two peace agreements between the Palestinians and Israel.
- Third:** The role of Fateh in shaping the Palestinian future.
- Fourth:** Future plans for growth and development of the Palestinian State.

CHAPTER ONE

THE HISTORICAL BACKGROUND OF THE DECLARATION OF PRINCIPLES, AND THE GAZA-JERICHO FIRST PLAN

The second Gulf war created a rare opportunity for the Zionist movement and the State of Israel to strike a fatal blow at the PLO, despite the role and endeavours of the PLO and chairman Arafat to prevent war and to implement an Arab solution. The web of the conspiracy was stronger than the PLO which found itself accused by the coalition of siding with Iraq's occupation of Kuwait. The PLO did not succeed in its endeavour to clarify its stand based on its rejection of the aggression by 30 countries against Iraq. Palestinians, both inside and outside the occupied land backed Iraq in its steadfastness and its confrontation of the Zionist aggression directed against the Palestinian people and the Arab nation. Israel extracted two demands in return for maintaining the cohesion of the coalition (with the participation of some Arab regimes) and for tolerating destructive Iraqi attacks without any form of retaliation which would have implicated Israel as a party to the war. Israel's first demand was to obtain a decision from the United Nations absolving Zionism of racism and racial discrimination, and defining it instead as a national Jewish liberation movement. The second demand was, the liquidation of the PLO and dealing with local leadership (from the occupied land) as an alternative to the PLO.

With the end of the war came the initiative of President George Bush in a speech addressed to the Congress on March 6, 1991, stating: "A comprehensive peace must be grounded in United Nations Security Council Resolutions 242 and 338 and the principle of territory for peace. This principle must be elaborated to provide for Israel's security and recognition. At the same time for legitimate Palestinians political rights. Anything else would fail the twin tests of fairness and security. The time has come to put an end to Arab-Israeli conflict." [a]

Even before President Bush concluded his speech, Israeli Prime Minister Shamir had announced his rejection of Bush's proposal and declared his own interpretation of Security Council Resolution 242, claiming that Israel had carried out the Resolution in full when it withdrew from more than 90% of the occupied land, by returning the Sinai to Egypt according to the Camp David Accord. But according to Shamir the Gaza Strip, Judea and Samaria, including Jerusalem, constitute an indivisible part of the historical land of Israel. In addition, he asserted that the legitimate political rights of the Palestinians will be realized with the implementation of self-government, following Palestinian elections.

Secretary of State James Baker's shuttle diplomacy aimed at organizing a peace conference in order to carry out President Bush's initiative in accordance with his idea of a New World Order. As a matter of fact, Mr. Baker was faced with new realities which were inconsistent with the expectations and hopes anticipated by the Presidential Group in their report "Building for Peace," concerning an alternative leadership in the occupied land. They aimed through this policy to bypass the PLO. The report stated that :[1] Some may resort to the escalation of violence, but this will only lead to the deterioration of their situation. Others may try, after a considerable time to take control of their personal affairs at the political level, in the same way they manage their affairs on the street. This is precisely the long term development which should be encouraged by the next administration, i.e, a leadership separate from the PLO which has acquired legitimacy by resisting Israel. And since this leadership springs from the West Bank and Gaza, it has some experience in coexistence with Israel, to a point where it is possible to relocate the centre of political activity from Arafat and his officers in Tunis and Baghdad to local groups in the occupied land. However, by encouraging such a course of action based on new dynamics, it would be possible for the next administration to create a process in the form of a political agreement between Israel and the Palestinians in the occupied land. Thus, a new negotiating team of Palestinians will emerge (an aim long sought after by America and Israel). [b]

The Madrid plan and the specifications for its tracks have been formulated in

accordance with Shamir's plan calling for the destruction of the PLO. It also presents self rule as a final solution to the Palestinian question.

Clearly, the joint Jordanian Palestinian delegation combines two different tracks. The first, the Jordanian track, enters directly into the final solution on the basis of Resolution 242, whereas the Palestinian track is divided into two stages: one is transitional and leads to self- rule arrangements for a period of five years; the second begins in the third year and deals with negotiations on the final status based on Resolution 242.

We must bear in mind that Shamir's negotiating plan for the Palestinian track was to have the negotiations dragged over a period of ten years. Shamir confessed this, after losing the elections, explaining that this plan was a device to avoid withdrawing from what he considers the 'historic land of Israel'.

Fateh's position concerning the Madrid Conference and its participation in it was expressed in its leaflet dated September 31, 1991, as such, "Zionist intransigence has succeeded in imposing the conditions on convening the Madrid Conference under the slogan "peace", based on America's sole manipulative grip which it enjoyed after the Gulf war. Despite the impression that the US was applying pressure on the Zionist entity concerning loans and long term assurances to be used strictly for accommodating Jewish immigrants, the Zionists were able to impose most of their conditions and suppress Palestinian constant and basic principles. The PLO's direct participation as the sole legitimate representative of the Palestinian people was transformed into indirect supervision. In addition, the original proposal to include, in the delegation, Palestinians from the occupied territories, including Jerusalem and from outside Palestine was rejected. The issue of Jerusalem and the importance of its representation were also deliberately absented. As a matter of fact President Bush's speech in Madrid Conference on March 6, was void of earlier obligations. It concentrated on the principle of territory for peace and the political rights of Palestinians. As an alternative President Bush used a loose statement about (providing Palestinians with meaningful authority over their daily life and future, while providing security for and recognition of Israel). At the same time Bush stressed that the aim of the conference was "not to replace the state of war in the

Middle East with a stalemate. As this is insufficient and non-durable. We seek a real peace which means treaties, diplomatic and economic relations, security, trade and investment, cultural exchange and tourism.”[c] These goals reflect Zionist aspirations at the expense of the Arab nation.

The US has divided the peace process into two tracks: bilateral and multilateral, in order to deal with the Arab states individually in the second track, leading them to seek individual security at the expense of Pan Arab security. President Bush tried in his speech at Madrid to undermine the danger of discussing multilateral issues (such as arms control, water resources, economic development and refugees) in the bilateral track. Undoubtedly, debating these issues before achieving and guaranteeing the withdrawal of Israel from the Palestinian and Arab lands means consolidating the superiority of the Zionist entity over all Arabs. This, in turn, would make the Palestinian question outside the occupied land an issue of refugees. Thus forcing the Arab states to absorb and accommodate them while the Zionist entity continues to attract and absorb more Jewish immigrants. This situation calls for more concerted Arab co-ordination, unity and action. In addition the Arabs must collectively adhere to basic and constant Palestinian and Arab principles. It has become vital to intensify Palestinian awareness of the deceptive traps for liquidation set by world Zionism and supported by America.

When the Labor Party assumed power, after holding early elections, it had to adhere to the six Nos stressed by the Party throughout the election campaign. These are:(1) No going back on the decisions to annex East Jerusalem, unite it with West Jerusalem and declare it the eternal capital of Israel. (2) No full withdrawal from the Golan Heights, not even as a result of a peace treaty. (3) No recognition of the PLO and no negotiations with it. (4) No return to the borders of June 4, 1967. (5) No to the creation of a Palestinian state. (6) No to the dismantling of settlements.[d]

Moreover, Rabin’s policy in the negotiations did not differ from that of the Likud party member Shamir’s. It was a ‘dialogue of the deaf ’ in the bilateral track. Yet the PLO found breathing space in the multilateral track, since Peres somewhat relaxed his intransigence and accepted the inclusion of Palestinian National Council members in the

delegation.

Changes in the US government after the American elections coincided with Israel's deportation of 415 Palestinian citizens. Both these factors impaired the bilateral negotiations in particular, and the peace process in general. This led to the shuttle diplomacy of US secretary of State, Warren Christopher. His aim was to revive the peace process through a policy of luring all conflicting parties to the negotiating table and by encouraging and complementing each party separately. He offered a 6-point plan to solve the problem, but later withdrew it, because Rabin's government was too stubborn to accept it. Christopher made it clear to Rabin that, 'without the Palestinians' consent to resume negotiations, the peace process will not proceed, since only the Palestinians are in control of resuming the peace talks'.[\[e\]](#)

Shimon Peres was aware of this fact, and the fact that without the PLO negotiations would not bring about any positive accomplishments. Therefore he opened a secret channel of negotiations under the patronage of a Norwegian scientific institute which led to the Oslo Agreement. The aim behind this endeavor was to keep the momentum of the peace process going and to agree on a declaration of principles to assist the bilateral negotiations once resumed.

When the ninth round of negotiations started, it was apparent that a real change had taken place in the American team delegated to supervise the peace process. And President Clinton had declared that the USA was a full partner of peace. It was also evident early in the ninth round that Israel's policy remained deceptive, albeit to a lesser degree than in the previous rounds. The reason for this was to prevent implicating the US administration in the negotiating process. The new administration proved, at the beginning of the ninth round, less negative than during the Baker era. America, as a full partner in the negotiating process, was conscious of the rationality of the PLO and its leader Yaser Arafat. As he ordered the negotiating team to return to the ninth round. Without Arafat's decision, the ninth round would have never taken place. But by the end of the round, the Palestinian delegation discovered that all promises given to them had been no more than an attempt to pull the wool over their eyes. America retracted its

earlier commitments and declarations concerning the peace process. These include: Security Council Resolutions 242 and 338, which form the basis for the whole peace process; the principle of land for peace; conformity with international legitimacy; the policy of considering the settlements as obstacles to peace; support for UN resolutions defining Jerusalem as an integral part of the occupied land, (including resolution 799, ratified by the Bush Administration) and a belief in deportation as a violation of the Fourth Geneva Convention and of human rights. America's policy reversal was clearly reflected in its proposal on May 12, 1993 entitled "The Israeli Palestinian Common Declaration". The document, which the American State Department team claim reflects the elements of the Palestinian and Israeli work papers was in reality nothing other than a rephrasing of Israel's ambiguous ideas. Palestinian rejection of the paper was outright. The American response came through Dennis Ross who informed the Palestinian delegation that any progress in the field of human rights would depend on the Palestinian reaction to the American proposal. It became obvious that the American attitude, in the ninth round, was subjected to pressure from the Israeli Lobby, particularly when Martin Indyk, a keen supporter of Israel, was assigned to the American State Department team. He was granted American citizenship to serve this very purpose.

It became evident to the Palestinian delegation and the Palestinian leadership that the attitude of the Israeli delegation was less extreme than that of the American team which was purportedly playing the role of sponsor, but which consisted of American Jews whose policy is closer to the Likud party than that of the ruling Labor party.

It has become clear to moderates within the Labor party that the American team aspires to obstruct the achievement of the DoP in order to topple the Labour government. Their hostility to Labour stems in part, from Rabin's hard line policy towards the Israeli lobby which supported Shamir in the last Israeli elections.

In light of this deadlock, Rabin directed his support towards Peres's secret talks and away from direct interference by the State Department. Thus, this secret channel of academic research was transformed into a process of secret and serious negotiations.

This took place after the Israeli delegation, headed by the Director General of the Israeli Foreign Ministry, became an official delegation supported by an experienced legal advisor who enjoys the confidence of Rabin. Negotiators in the secret channel were inclined to formulate a 'secret declaration of principles' to be endorsed by Chairman Arafat and Prime Minister Rabin. This declaration was to be handed to the Secretary of State, Mr. Christopher, who would submit it to the two delegations in Washington, as an American initiative which they would have to accept. It was assumed that this endeavor would remain secret except to those who participated in its formation and five persons from each of the two countries plus the secret delegates. The late Norwegian Minister of Foreign Affairs, Mr. Holst, kept Secretary of State Christopher informed on the progress of the secret negotiations.

It is possible to say that the secret Oslo negotiations remained insignificant and not very promising even to most of those who were aware of them. The tenth round of negotiations ended on June 30, 1993 with the issuance of the American Draft Resolution. This resolution was rejected outright by the Palestinian leadership. Parallel to that, the American team submitted a project for a speedy assumption of authority by the Palestinians. It was supposed that this project could hasten the emergence of a local leadership within the occupied territories. This leadership was expected to agree to a situation of less than self rule, supported financially by Saudi Arabia, USA and Israel. This would entail ending its relations with the PLO and dividing the interim period into two stages. Thus Israel would guarantee a final solution that would never achieve more than a self governing authority.

The project of Martin Indyk and Dennis Ross concerning an early handing over of authority was not received positively by the Palestinian delegation despite material enticements and promises of authority.

Both the Fateh movement's firm grip on the situation in the occupied territories and the wisdom of the leadership in dealing with unjust conditions and political paths imposed on the Palestinians since Madrid have aborted Zionist plans to create an alternative leadership in order to liquidate the PLO - (the symbol of Palestinian national independence). Robert Satloff expressed his opinion in relation to this plan by saying

that,[f] the weakness of the PLO institutions was one of the preconditions which brought about the Madrid Conference. As a natural outcome, hopes were high for the composition of a Palestinian negotiating delegation from the occupied territories. They will be surrounded by a halo for being of equal standing with the Israeli negotiating team. This in turn will lead to the emergence of local national leadership from the West Bank and Gaza Strip⁶. However, this precondition is inapplicable, and the prospect for creating an alternative leadership is bleak.

The Palestinian negotiating delegation in Washington insisted on the principle of ‘Jerusalem first’, and asserted that Jerusalem is the key to peace. This paved the way for the secret deal which was taking place in Oslo. The talks about ‘Gaza first’ were viewed as a negative approach aimed at creating divisions between the Palestinian people in the West Bank and those in the Gaza Strip. The reaction was consistent with Fateh’s commitment to abide by the decisions of the Palestinian National Council. These decisions emphasized Palestinian readiness to establish an independent Palestinian national authority over any liberated piece of land, in the course of liberating all of Palestine. When Arafat was asked by some Israeli reporters about his readiness to take over the Gaza Strip if Israel decides to withdraw from it, his response was, “It is impossible to accept withdrawal from Gaza only, however, if it is linked with other parts of the West Bank, like Jericho, whereby the Palestinians get total authority through the PLO, the subject will be open to discussion”.

The principle of ‘Gaza-Jericho First’ was made public and was provisionally adopted, since it formed a breakthrough plan leading to the final solution. Hence, the PLO was to assume authority in the Gaza Strip and part of the Jericho Area, under direct supervision of the UN, provided that this would take place within the framework of the DoP. This principle was supposed to also cover the geographic control of interim self-rule over all occupied Palestinian land since June 1967, including Jerusalem. This position was firmly underscored in the Palestinian response to the American paper of July 29, 1993 entitled “Gaza-Jericho First”, whereby this principle was considered as “a form of disengagement causing a breakthrough in the negotiations. This first step forms a vital and effective expression of the transition of authority to the Palestinians on solid basis

which when linked with the rest of the occupied land, will form an indivisible unity”.[g]

The “Gaza-Jericho First” plan which emerged from Oslo did not comply with the phrasing of the Palestinian response to the American draft. It came in opposition to the plan for early empowerment. As a result some leaders of the delegation from the occupied territories resigned, however this speeded up the process of signing the Declaration of Principles. The sequence of events in Palestine was accelerated dramatically, thus making it difficult for Fateh and the masses to follow and analyze events. Since negotiations and discussions with the enemy were conducted in secret, many Palestinians doubt the credibility of the texts.

The issue is no longer the interpretation of the positive and negative aspects of the texts, since the elaborate ceremony for signing the agreement at the White house overshadowed all obscurities. The agreement and its annexes; mutual recognition, resumption of the Palestinian-American dialogue, and the new international status of the Palestinian nation in the New World Order were presented to the Palestinians, inside and outside Palestine. This caused the Palestinian nation to become uncertain about their future and that of the Palestinian question. Many expressed either reservations or outright rejection of the agreement, while many others rejoiced to the point of exhilaration caused by an exaggerated feeling of victory.

The historic risk forced upon Fateh’s movement, the PLO and the whole Palestinian cause as a result of secret negotiations, and an agreement crammed with destructively ambiguous or clearly arrogant texts (as a result of the current balance of power clearly biased towards Israel); has become a fact of life after the PLO was able to impose its existence and extract recognition from Israel. It was the beginning of a change of attitude in the American administration towards the PLO, which had been completely excluded from the Madrid conference. The feelings of euphoria and failure commingled in a new form of conflict. The components of this conflict were excellence of performance, multiplicity of options, and methods of struggle interplaying to affect better conditions and to strengthen elements of hope to overcome obstacles leading to failure.

CHAPTER TWO

Main Points of Strength and Weakness in the Peace Agreement

The presentation of the DoP to the Central Committee of Fateh in its meeting on Aug. 29, 1993, was not for the purpose of discussion or amendment before its endorsement. The issue here was to either accept or reject it in its exact form. An accurate analysis and study of the agreement was therefore necessary to base the difficult decision concerning its acceptance or rejection on total conviction and awareness. Despite the emergence of the revolutionary and realistic streams within the framework of the Central Committee, (with the absence of the ideological approach) caution, reluctance and anticipation were obvious trends throughout the discussions. Israel's recognition of the PLO had not yet taken effect, and it was assumed that the agreement will be signed by the Palestinian delegation to the Washington talks.

From the first page of the DoP for the arrangements concerning self-governance authority, one can easily side with either the realistic or revolutionary approach. Firm tactics call for indicating the points of strength within the text, however, ignoring weak points reflects flexibility. On the contrary rigid principles instigate locating weak points, while finding points of strength determines that the enemy concedes on principles. On the whole the trend was to be biased towards the revolutionary approach. The DoP acquired its momentum in the absence of any worthy alternative brought by members of the Central Committee.

The atmosphere governing the meeting was an assortment of rejection, reluctance, reservation and acceptance yet the majority was in favour of the agreement either whole heartedly or with reservation. The Central Committee withheld voting on the issue as it touched on principles beyond their dominion. Hence the issue was transferred to the Revolutionary Council of the Palestinian National Congress for a decision. Thus the

Central Committee formed its decision on the subject as follows :

“The Central Committee of Fateh movement held three consecutive meetings between the 1st and 3rd of September 1993 in a positive atmosphere to review and discuss the plan of the Agreement between the PLO and Israel. The Committee decided to submit the plan to the representatives of the leading Palestinian factions within the few coming days.”[\[h\]](#)

The signing of the Agreement took place in Washington on September 13, 1993 after Israel and the PLO had signed documents of mutual recognition. However, Fateh’s reading of the Agreement with a revolutionary attitude emerges from the significance and the need to take into consideration, when interpreting and implementing the text of the DoP, the fundamental changes that took place. These changes should be extended to apply to the DoP right after it is signed by the PLO.

We have been confronted by two agreements. One strengthens the Palestinian negotiating position by Israel’s recognition of the PLO as the representative of the Palestinian people comprising all international law privileges. The other weakens the Palestinian negotiators. It is the DoP which was formulated to be signed by the Palestinian delegation and which came into effect as a result of the Madrid Conference which aimed at liquidating the PLO. It was obvious that the PLO would not agree to the DoP unless it acquired recognition. Equally Israel will refuse to recognize the PLO unless the PLO accepted the DoP in its exact form. Jane Corbin has described this in her book, *Gaza First* by saying , ‘ that is why Safer proposed a barter deal and for even more important reasons waved the flag of mutual recognition in the face of the PLO. This caused a halt in the Washington negotiations in the hope of achieving this recognition. Hence, accepting the PLO as the representative of the Palestinian people implied that Israel had agreed implicitly to the PLO political program of self-determination for the Palestinian people and for a Palestinian State. Therefore, if the package deal was the stick, the mutual recognition was the carrot.”[\[i\]](#)

It is worthwhile, before identifying the points of strength added by the agreement on mutual recognition, to indicate the heavy price paid by the Palestinian people to the

Israeli Government when it recognized the PLO as their representative and negotiated with it on this basis. Moreover, in order to resume the dialogue with the US, it committed itself to changes in certain items in the Palestinian National Charter, the Uprising, the strategy of armed struggle, and other important obligations imposed by the conditions of bargaining. So even the carrot was not easy to bite as it contained a stick in parts of it which aimed at breaking the few remaining teeth of the PLO.

Points of Strength and Weakness in the Peace Agreement of Mutual Recognition Between the PLO and the Government of Israel

It is valid to assume that the PLO's recognition of Israel constitutes the major point of weakness. This recognition entails strategic concessions, and the overlooking of some Palestinian principles. On the other hand Israel's recognition of the PLO strengthens the PLO's position, once this recognition is incorporated into the bilateral relations, and negotiations as stipulated by the International plan according to the following :

1. The legal interpretation of the recognition of the PLO by the Israeli Government should be linked effectively and directly to the DoP. Thus the negotiator and observer would be able to comprehend the change which should be reflected on the context of the DoP finalized before the mutual agreement recognition. The effects of this recognition were not clearly reflected on the formation of the text of the DoP. The change which took place moments before the signing asserted the PLO position alongside the Israeli Government as partners at the beginning and the end when the declaration was signed. This positive change in attitude should be reflected all through the text.
2. The legal interpretation of the recognition by the Governments, States and international organizations is not considered as a mere political procedure, but an important legal action accepted by the international law as an acceptable basic formula leading to a government of a legal State. The PLO is a liberation organization that differs from other such movements by being comparable to a

government as it has its own charter and has formed many different institutions. Moreover, it has a wide range of international relations with governments, states and international organizations and has been accepted as the legitimate representative of the Palestinian people. These features were crowned by the UN General Assembly Resolution No. 3236 dated November 22, 1974 which reaffirmed the indivisible legitimate rights of the Palestinian people including:

- a) Self determination
- b) the right of independence and national sovereignty

During the same meeting and according to Resolution 3237 the General Assembly called on the PLO representative to become an observer in the Assembly.”[j]

(Most of the countries of the world recognized the State of Palestine and the UN General Assembly was notified of the emergence of a Palestinian State. Palestinian status in the UK was changed from an organization given the observer status (like any other liberation movement) to that of Palestine, whereby Palestine became the observer with the PLO as its representative).[k]

3. The Israeli Government expressed its commitment to the concept of recognition of the PLO in the most sensitive matters which the DoP stipulated as not within Palestinian jurisdiction during the interim period. These matters being, authority concerning foreign Affairs. So instead of asking for the closure of Palestinian embassies and offices holding the status of observer at the UN General Assembly, the Israeli Government issued an order to its ambassadors and representatives at the UN to deal with the ambassadors of the PLO as representatives of a Palestinian State and not representatives of a liberation movement. But Israel went back on this recognition in all its negotiations in order to implement the DoP on the ground.
4. The decision of the Palestinian Central Council to form a Palestinian National Authority for the Gaza Strip and Jericho area stems from the concept that this National Authority conforms with the resolution of the Palestinian National Council in its twelfth session held between June 1 -9 1974. This resolution stipulated ‘the creation of an independent national Palestinian authority on every

piece of land liberated from Israeli occupation’. The Israeli delegation objected to this decision at Taba insisting on dropping the adjective “national” to describe the Palestinian authority from all texts of the Agreement.

POINTS OF STRENGTH AND WEAKNESS IN THE DECLARATION OF PRINCIPLES

The DoP is inundated with many contradictory provisions. Therefore, the strong and weak points construe contradictory interpretations. Points of strength and weakness overlap as we can clearly depict from the following :

1. **WITHDRAWAL** The expression of “withdrawal” as used in the DoP and the attached protocol No. 2, means the total evacuation of the Israeli forces from the whole of the Gaza Strip and the Jericho Area with the exclusion of settlements where limited forces are allowed to take position for security reasons. The use of the booklet (Instructions for the American Field Army Troop 10 - 27, “the Law For Terrestrial Warfare” July 1956) adopted by the American Ministry of Defence, which is still applied by the American Army on its troops, in accordance with the Hague and Geneva Agreements, assists in securing stability in the region which the US aspires to achieve. However, Professor Advocate Francis Boyle emphasized in his legal memorandum on the subject of the interim agreement and international law presented to the Palestinian representatives for the peace negotiations on December 1, 1992, that this booklet is only a procedural program built on the basis of international law related to armed conflicts and military occupation, prepared by professor Richard Baxter, an outstanding expert on this subject. The following is a quotation from page 23 of the memorandum of Francis Boyle:

“You have to revoke the effectiveness of Israeli Military occupation in accordance

with the interim agreement as in the following paragraph:

75 - What this phrasing means is very clear. The Israeli Military Occupation according to the Hague will be terminated as soon as the Israeli forces withdraw from Palestinian territory. In other words, according to the Hague regulations, the military occupation could end in one region after the other in all Palestinian territory once the Israeli forces pull out and redeploy in defined military bases. This is the normal way in which procedures should be carried out in accordance with the International laws on Military Occupation”[1]

The memorandum goes on to say elsewhere:

“82 - In other words, the presence of the Israeli Military Forces should be strictly limited to the military bases allowed to remain in the Palestinian territories as part of the interim agreement. Once you achieve this aim the Israeli attitudes towards the Palestinian people will become the same as those prior to the occupation. Thus the Israeli military occupation will end completely in all the Palestinian territories they evacuate on condition that they cannot go back to these territories if they desire to do so. From now on I shall refer to the territory which the Israeli forces withdraw from as ‘liberated territory’ to differentiate it from the territory where the military bases are found, which will remain occupied Palestinian territory”[m]

The withdrawal can be considered a significant strong point in the DoP since it is a strategic retreat by the Zionist movement which considers Palestine ‘a land without people for a people without a land’ - that is the ‘Promised Land’ and ‘the historic land of Israel’ , etc. The acceptance of the idea of withdrawal from the West Bank and Gaza Strip in two stages, the transitional and final stages, and the absence of the terms Judea and Samaria (predominant in the Washington track) from the texts of the agreement is a positive move that should receive appreciation if good intentions are to be realized.

Yet the Zionists have inflicted upon the affirmed minutes of this agreement factors that undermine all the above mentioned positive aspects related to the use of the

expression ‘withdrawal’. These conditions have left the Gaza Strip open to Israeli military and civic movements and have given the Israelis the right to the free use of roads in the Gaza Strip and Jericho Area. Thus, ‘withdrawal’ becomes nothing more than redeployment of forces. The Cairo Agreement proved that the Israeli Government is not serious about its recognition of the PLO. It does not bother to apply this recognition concerning its handling of arrangements related to passage ways, withdrawal and the search for means to guarantee the advancement of the peace process to lead to a comprehensive solution.

2. **SETTLEMENTS** The settlements were mentioned in the DoP alongside other issues to be covered in the negotiations on the final status. Yet mentioning this in the minutes of the DoP-as such, “Following the Israeli withdrawal, Israel will still be responsible for external and internal security and public order; within the settlements and for the Israelis”, caused the issue of settlements to become the focal point of the negotiations as a result of exaggerated and pretentious Israeli concern about the issue of security.

Gaps and contradictions within the text of the DoP became clear to our negotiating team in Taba. The issue of settlements was the most explosive and dangerous issue in the peace process. Using the pretext of the issue of settlements’ security in the Gaza Strip and Jericho Area, as mentioned in the agreement, the Israeli negotiating team demanded the deployment of their forces not only in and around the settlements but also in farms, factories and on roads leading into and out of these settlements. They also consider it their right, according to the agreement, to have forces on all Palestinian roads, cities, markets, crossing points, etc. that may be used by the Israelis in addition to full control of the crossing points, shores and borders, as they claim responsibility for external security.

Savage and criminal attacks by settlers and their supporters within the Israeli Army against our people in the Occupied Territories, have seriously undermined the spirit of the DoP especially regarding the issue of settlements and settlers. This issue must be addressed and resolved with the aim of preventing further crimes

and atrocities especially after the massacre at the Ibrahimi Mosque in Hebron. Failure in resolving the crucial aspects means the collapse of the whole peace process. The DoP states the possibility of entering the final stage as soon as possible and no later than the beginning of the third year. Therefore the issue of settlements should be dealt with directly. It should not be delayed till the final stage. It is worth noting that most of the settlers on the rampage, obsessed by the idea of rebuilding the Temple are American fanatics and racist Jews followers of the Kakh, Kahana Hai, and Gush Emonim movements and mostly members of the Likud party. Their antagonizing behaviour threatens the peace process and the stability of the region. This is in contradiction with the current American Administration's policy which differs from that of the preceding administrations in the era of cold war and the strategy of continuous tension.

To keep quiet and overlook atrocities committed by fully armed settlers and their counterparts in the Israeli army such as violations of Palestinian human rights, destruction and demolition of Palestinian properties and other crimes committed against the Palestinian people under the watchful eye of Rabin's government is proof of the superficiality of the peace settlement. The text of the agreement is both misleading and ambiguous, invariably leading to injustice. The crimes committed against Moslem worshippers in the Ibrahimi Mosque in Hebron are solid proof of the continuous threat by the settlements and fully armed settlers raised to be racists. Condemnations and denunciations are not enough to put the negotiations back on track. Therefore the success of the peace process, depends on removing all points of contention, especially regarding the issue of settlements.

3. **ELECTIONS** Circumstances created by the Israeli occupation prevented the Palestinians in the occupied territories from participating in the formation of the PLO's executive and legislative bodies, whether in the PNC, the Central Council or in the Executive Committee. Due to the refusal of the Zionist entity to recognize the PLO, the allocated number of representatives from the occupied territories to the respective Palestinian National Congress (PNC) sessions were prohibited from participating. Moreover, they were being threatened with expulsion if they participate in these sessions. The PLO reacted to this unjust measure by appointing deportees to

the PNC and the Executive Committee in order to emphasize the integral unity of the Palestinian struggle. Now that the Israeli Government has officially recognized the PLO as the representative of the Palestinian people it has given the PLO the right to complete its structure with the inclusion of members of the PNC from the occupied territories. Hence it is our duty to read annex 1, concerning the formulae and conditions of elections, from a Palestinian perspective asserting our aspirations and will. Therefore, the process of electing the supplementary body to complete the PNC by representing the Palestinian people under occupation since 1967 reflects a true manifestation of the unity of the Palestinian people inside and outside Palestine.

The fact that our people inside Palestine were able to tolerate the heavy burden caused by armed struggle and the mighty Intifada (Uprising) against the Zionist enemy, has made its honest fighters highly concerned for the foundation of a Palestinian unity, which cannot be broken. Indeed it represents the key to independence, rejecting future subjugation to the Israeli enemy, and its plans to use our people as a stepping stone to the Arab World. This in order to invade its economy and impose Israeli domination over the Middle East under the umbrella of the New US World Order.

Between the first and the last pages of the DoP, its annexes and the minutes of meetings there are several ambiguous points. The text is not direct and cannot be precisely understood unless the exact terminology is used. For example, PLO instead of Palestinian representative, elected council instead of Council for the Palestinians and so on.

The 'elected council' does not necessarily mean the representatives of the Palestinian people, especially since the Israeli Government has recognized the PLO as representatives of the Palestinian people wherever they exist.

The 'Council' as mentioned in the text of Annex I of the Agreement related to the style and conditions of the elections, deprives the majority of our people in the Diaspora from participating in the elections. It includes the Palestinians displaced since 1967 who are not "in a situation that allows them to participate in the elections for political reasons", as stated in the text of the agreement. Upon our insistence on the necessity of carrying out the elections, it becomes logical to discuss two types of elections. The first is supplementary elections to fill the seats allocated for representatives from the West

bank, Jerusalem and Gaza Strip in the PNC. The second is for leadership elections of the Palestinian National Authority, either directly or through the PNC. Thus, the concept of democracy will be realized and will conform with the Palestinian objective of national independence and maintaining the PLO, until the establishment of the Independent Palestinian State with Jerusalem as its capital.

- [1] Translator's note- This is a translation of the Arabic title, we could not find the English title.
- [a] George Bosh, speech in the Congress, Documented in *Willian Quant's book, Peace Process, Brockings 1993*, P 496.
- [b] *Building for Peace, Washington Institute For Near East Policy*, 1988 P 33-34,35.
- [c] George Bush, Speech in Madrid Conference, Documented in **AIPAC report. The Middle East Peace Since Madrid**. 1992 P60-61
- [d] Naddaf Shagrai - Haaretz, 6/9/1993
- [e] Christopher, Hadashot newspaper 24.2.1993
- [f] Robert Satloff. Policy Watch No. 54
- [g] Palestine Respects to the American Draft 29/7/1993
- [h] Wafa leaflet Septemper 1, 1993
- [i] Jane Corbin, Gaza First, Bloosburg 1994 p136
- [j] Yougee Qatran, legal aspects, Al-Sharq Alawsat Newspapaer, September 22, 1993.
- [k] Anis Qasim, Interpose in the Palestinian Central Council October 10, 1993.
- [l] Francis Boyle, Memorandum of Law to the Palestinian Delegates to the M.E. Peace Negotiations on the subject of Interim Agreement and International Law. Septenber 1, 1992. unpublished, p17.
- [m] Ibid p18.