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THE PLO CHARTER AMENDMENT THAT NEVER WAS

By William K. Langfan

Introduction

The “Peace Process” which began with the Declaration of Principles (DOP) in 1993 and continued with the Oslo Accords was actually an Israeli divestiture of land in exchange for PROMISES of peace from the Palestinian leadership.

One of the major and probably the most important Palestinian obligation in the “Peace Process” was a promise to annul the onerous clauses of their formal original 29 clause 1964 Charter (the “Charter”) which was amended into a 33 clause charter in 1968 after the 1967 War. The importance of the Charter to the Palestinians can not be exaggerated. To the Palestinians, it is virtually their “Junior Koran.” These clauses in the Charter, in sum, declared the establishment of Israel illegal and void and called for armed resistance until Palestine was liberated.

It is the opinion of the writer predicated upon the facts which follow that not one word of the Charter has ever been changed. Arafat and the subsequent Palestinian leadership instituted a series of steps to indicate that the Charter had been changed; however, there is not one shred of evidence that any change has ever occurred.

Palestinian Charter Amendment Requirements

1. (Clause 33 of the enclosed Charter as amended in 1968 specifically states that there can be no change to the Charter unless 2/3’s of the full membership of the Palestinian National Council and such a vote can only be made in a meeting specially noticed for an amendment change.(See enclosed 1968 Charter)

Arafat’s 1993 Letter to Rabin

2. Arafat wrote the magnificent enclosed letter to PM Rabin in September 1993 days before the signing of the Oslo Accords. In the letter, Arafat stated that the “clauses in the Charter which are contrary to what I have stated in this letter are either no longer operative or will be nullified.” Critically, Arafat’s 1993 letter ended with the sentence that the “letter will be presented to the PNC (the Palestinian Council) for their formal approval.” In other words, all of Arafat’s peaceful statements in his 1993 letter were “subject to” the PNC formal approval pursuant to clause 33 of the Charter.

PNC 1996 Vote and Resolution

3. The PNC finally did meet in April 1996 and did vote for a two clause resolution after a speech by the PNC Chairman Zanoun. Zanoun's enclosed speech clearly stated that "we have to do something at the lowest possible price-if we amend, it will mean that we have paid a very high price- if we prepare a new charter it will be less challenging- the resolution which we have drafted gives us 6 months until the Palestinian Central Council meets. They can say, we leave it for the National Council. . . ."

4. Clause one of the Resolution states that the PNC decides "amending the Palestinian National Charter and cancelling the Charter's articles opposing the exchanged letters between the PLO and the Israeli Government on September 9th and 10th, 1993. Clause 2 of the resolution states that a legal committee would be formed to draft a new Charter.

If we combine the Zanoun pre-vote speech with the 2 clause resolution that was actually voted on, plus the fact that there is no record of a legal committee ever being formed, and there is no record that a redrafting of the Charter ever occurred, no reasonably objective person could arrive at a conclusion that there was a change in the Charter up to this point.

5. The Israeli Ministry of Foreign Affairs in October 1996 issued the enclosed communication which stated that the PLO had failed to amend the Charter's clauses no later than May 7, 1996. It further stated that "By leaving the Covenant (the Charter) intact, the PLO sends a clear message that it has not renounced violence nor accepted Israel's right to exist."

Arafat's 1998 Letter to President Clinton

6. There is no record that anything pertaining to the Charter ever occurred from October 1996 until Arafat wrote the enclosed letter to President Clinton in January 1998. Arafat declared in this 1998 letter that questions have been raised pertaining to the legal effect of the April 1996 PNC action. Arafat then stated "we would like to put to rest these concerns." In accordance with Article 33 of the Charter, the 1996 PNC Resolution is a comprehensive amendment of the Covenant. All of the provisions of the Covenant which are inconsistent with the PLO commitment to recognize and live in peace side by side with Israel are no longer in effect.

As a result, articles 6-10, 15, 19-23, and 30 have been nullified and parts of articles 1-5, 11-14, 16-18, 25-7. And 29 that are inconsistent with the above mentioned commitments have also been nullified.

Arafat ended his letter: I can assure on behalf of the PLO and the Palestinian Authority that all the provisions of the Covenant that were inconsistent with the above mentioned commitments of September 9/10, 1993) to Prime Minister Rabin, have been nullified.

Arafat stated that specific clauses were annulled in the 1996 Resolution. Can anyone reasonably arrive at a conclusion that a statement from Arafat that the 1996 PNC vote for the Resolution

annulled the specific clauses enumerated in Arafat's letter to President Clinton when there is not one fact that could sustain Arafat's allegations? On the contrary, the 1996 resolution itself specifically appointed a legal committee to draft unspecified actual changes to the Charter in the future which unequivocally means that no actual changes took place at the 1996 vote.

Various Palestinian Reaffirmations of Arafat's 1998 letter to President Clinton

7. The following series of events occurred in December 1998 which were reaffirmations of the contents of Arafat's letter to President Clinton:

- a) Dec. 7, 1998, the Executive Committee of the PLO reaffirmed the letter of Arafat to President Clinton.
- b) Dec. 10, 1998, the Central Committee of the PLO met and reaffirmed the Arafat letter.
- c) Dec. 14, 1998 all the Palestinian leaders of all the Palestinian ministries met and reaffirmed the Peace Process, and reaffirmed the actions of the executive Committee and the Central Committee pertaining to the Charter.

Enclosed is the summary of the decisions and actions pertaining to the Palestinian National Charter as currently posted by the Observer Mission of Palestine to the United Nations. This summary conveniently omitted from the second clause of the 1996 PNC resolution, the words "which will be presented to the PCC during its first meeting." There is no evidence that this PCC "first" meeting ever took place. Similarly, there is no evidence that a legal committee was ever formed nor is there any evidence that a redrafting of the Charter has ever occurred.

Conclusion

In conclusion, Arafat's "subject to" letter to Rabin, the inconclusive clause one of the April 1996 PNC resolution, Arafat's letter to President Clinton, and the three Dec. 1998 votes reaffirming Arafat's letter to President Clinton are the total evidence that the specifically enumerated clauses of the Charter have been annulled or partially annulled.

The evidence that there has never been one word changed in the Charter is as follows:

1. There is not one document that has ever surfaced to support the claim any change in the Charter has ever occurred.
2. PNC Chairman's Zanon's pre-vote speech specifically stated that no amendment was contemplated and that there was to be a redrafting of the new charter. There is no evidence that a redrafted charter is in existence.
3. There is no evidence that a legal committee was ever formed pursuant to clause 2 of the April 1996 PNC resolution and no evidence of a new charter.
4. Three Dec. 1998 reaffirmations of Arafat's January 1998 letter to President Clinton which stated that the consequence of the April 1996 resolution, for which a vast majority of the PNC voted, was an annulment of the specifically enumerated clauses and partial annulments of the other enumerated clauses was an Arafat allegation that never

happened. An affirmation of something that never happened does not convert an event that never occurred into an event that happened. Thus, all of those reaffirmations of Arafat's letter to President Clinton were reaffirmations of nothing. (A reaffirmation of a legally defective charter amendment, does not legally convert the legally defective amendment into a legally effective charter amendment.) (A reaffirmation of a fictional false event, doesn't make the fictional false event any more factual or true.) If there were a real intention on the part of the Palestinian leadership to annul any part of the Charter, all they had to do was to have the Palestinian National Council vote specifically to annul each clause as Arafat alleged in his letter.

Facts speak louder than words. The years following the December 14, 1998 Palestinian leaders vote by raising their arms to vote "reaffirming peace," resulted in the greatest amount of Israeli civilian casualties per year since the 1949 armistice. The average Israeli civilian deaths from terrorism from January 1999 through December 31, 2009 was 108 versus 28 annual Israeli civilian deaths from terrorism from 1949 through December 31, 1998. If the wall had not been built, the total Israeli deaths would have been much higher.

The result of the "Peace Process" as of this moment is: Palestinians now control land which they have never controlled in recorded history; Hamas control of Gaza; more Israeli civilian deaths from terrorism than ever before; the same PLO charter calling for Israel's destruction which has never been modified; plus a Fatah constitution and a Hamas charter, both of which call for Israel's destruction, and a Palestinian leadership mindset to destroy Israel which has not changed one iota.

Palestine National Charter of 1964

INTRODUCTION

We, the Palestinian Arab people, who waged fierce and continuous battles to safeguard its homeland, to defend its dignity and honor, and who offered all through the years continuous caravans of immortal martyrs, and who wrote the noblest pages of sacrifice, offering and giving.

We, the Palestinian Arab people, who faced the forces of evil, injustice and aggression, against whom the forces of international Zionism and colonialism conspire and worked to displace it, dispossess it from its homeland and property, abused what is holy in it and who in spite of all this refused to weaken or submit.

We, the Palestinian Arab people, who believe in its Arabism and in its right to regain its homeland, to realize its freedom and dignity, and who have determined to amass its forces and mobilize its efforts and capabilities in order to continue its struggle and to move forward on the path of holy war (al-jihad) until complete and final victory has been attained,

We, the Palestinian Arab people, based on our right of self-defense and the complete restoration of our lost homeland- a right that has been recognized by international covenants and common practices including the Charter of the United Nations-and in implementation of the principles of human rights, and comprehending the international political relations, with its various ramifications and dimensions, and considering the past experiences in all that pertains to the causes of the catastrophe, and the means to face it,

And embarking from the Palestinian Arab reality, and for the sake of the honor of the Palestinian individual and his right to free and dignified life,

And realizing the national grave responsibility placed upon our shoulders, for the sake of all this, We, the Palestinian Arab people, dictate and declare this Palestinian National Charter and swear to realize it.

Article 1. Palestine is an Arab homeland bound by strong Arab national ties to the rest of the Arab Countries and which together form the great Arab homeland.

Article 2: Palestine, with its boundaries at the time of the British Mandate, is a indivisible territorial unit.

Article 3: The Palestinian Arab people has the legitimate right to its homeland and isan inseparable part of the Arab Nation. It shares the sufferings and aspirations of the Arab Nation and its struggle for freedom, sovereignty, progress and unity.

Article 4: The people of Palestine determine its destiny when it completes the liberation of its homeland in accordance with its own wishes and free will and choice.

Article 5: The Palestinian personality is a permanent and genuine characteristic that does not disappear. It is transferred from fathers to sons.

Article 6: The Palestinians are those Arab citizens who were living normally in Palestine up to 1947, whether they remained or were expelled. Every child who was born to a Palestinian Arab father after this date, whether in Palestine or outside, is a Palestinian.

Article 7: Jews of Palestinian origin are considered Palestinians if they are willing to live peacefully and loyally in Palestine.

Article 8: Bringing up Palestinian youth in an Arab and nationalist manner is a fundamental national duty. All means of guidance, education and enlightenment should be utilized to introduce the youth to its homeland in a deep spiritual way that will constantly and firmly bind them together.

Article 9: Ideological doctrines, whether political, social, or economic, shall not distract the people of Palestine from the primary duty of liberating their homeland. All Palestinians constitute one national front and work with all their feelings and material potentialities to free their homeland.

Article 10: Palestinians have three mottos: National Unity, National Mobilization, and Liberation. Once liberation is completed, the people of Palestine shall choose for its public life whatever political, economic, or social system they want.

Article 11: The Palestinian people firmly believe in Arab unity, and in order to play its role in realizing this goal, it must, at this stage of its struggle, preserve its Palestinian personality and all its constituents. It must strengthen the consciousness of its existence and stance and stand against any attempt or plan that may weaken or disintegrate its personality.

Article 12: Arab unity and the liberation of Palestine are two complementary goals; each prepares for the attainment of the other. Arab unity leads to the liberation of Palestine, and the liberation of Palestine leads to Arab unity. Working for both must go side by side.

Article 13: The destiny of the Arab Nation and even the essence of Arab existence are firmly tied to the destiny of the Palestine question. From this firm bond stems the effort and struggle of the Arab Nation to liberate Palestine. The people of Palestine assume a vanguard role in achieving this sacred national goal.

Article 14: The liberation of Palestine, from an Arab viewpoint, is a national duty. Its responsibilities fall upon the entire Arab nation, governments and peoples, the Palestinian peoples being in the forefront. For this purpose, the Arab nation must mobilize its military, spiritual and material potentialities; specifically, it must give to the Palestinian Arab people all possible support and backing and place at its disposal all opportunities and means to enable them to perform their role in liberating their homeland.

Article 15: The liberation of Palestine, from a spiritual viewpoint, prepares for the Holy Land an atmosphere of tranquillity and peace, in which all the Holy Places will be safeguarded, and the freedom to worship and to visit will be guaranteed for all, without any discrimination of race, color, language, or religion. For all this, the Palestinian people look forward to the support of all the spiritual forces in the world.

Article 16: The liberation of Palestine, from an international viewpoint, is a defensive act necessitated by the demands of self-defense as stated in the Charter of the United Nations. For that, the people of Palestine, desiring to befriend all nations which love freedom, justice, and peace, look forward to their support in restoring the legitimate situation to Palestine, establishing peace and security in its territory, and enabling its people to exercise national sovereignty and freedom.

Article 17: The partitioning of Palestine, which took place in 1947, and the establishment of Israel are illegal and null and void, regardless of the loss of time, because they were contrary to the will of the Palestinian people and its natural right to its homeland, and were in violation of the basic principles

embodied in the Charter of the United Nations, foremost among which is the right to self-determination.

Article 18: The Balfour Declaration, the Palestine Mandate System, and all that has been based on them are considered null and void. The claims of historic and spiritual ties between Jews and Palestine are not in agreement with the facts of history or with the true basis of sound statehood. Judaism, because it is a divine religion, is not a nationality with independent existence. Furthermore, the Jews are not one people with an independent personality because they are citizens to their states.

Article 19: Zionism is a colonialist movement in its inception, aggressive and expansionist in its goal, racist in its configurations, and fascist in its means and aims. Israel, in its capacity as the spearhead of this destructive movement and as the pillar of colonialism, is a permanent source of tension and turmoil in the Middle East, in particular, and to the international community in general. Because of this, the people of Palestine are worthy of the support and sustenance of the community of nations.

Article 20: The causes of peace and security and the requirements of right and justice demand from all nations, in order to safeguard true relationships among peoples and to maintain the loyalty of citizens to their homeland, that they consider Zionism an illegal movement and outlaw its presence and activities.

Article 21: The Palestinian people believes in the principles of justice, freedom, sovereignty, self-determination, human dignity, and the right of peoples to practice these principles. It also supports all international efforts to bring about peace on the basis of justice and free international cooperation.

Article 22: The Palestinian people believe in peaceful co-existence on the basis of legal existence, for there can be no coexistence with aggression, nor can there be peace with occupation and colonialism.

Article 23: In realizing the goals and principles of this Convent, the Palestine Liberation Organization carries out its full role to liberate Palestine in accordance with the basic law of this Organization.

Article 24: This Organization does not exercise any territorial sovereignty over the West Bank in the Hashemite Kingdom of Jordan, on the Gaza Strip or in the Himmah Area. Its activities will be on the national popular level in the liberational, organizational, political and financial fields.

Article 25: This Organization is in charge of the movement of the Palestinian people in its struggle to liberate its homeland in all liberational, organizational, and financial matters, and in all other needs of the Palestine Question in the Arab and international spheres.

Article 26: The Liberation Organization cooperates with all Arab governments, each according to its ability, and does not interfere in the internal affairs of any Arab states.

Article 27: This Organization shall have its flag, oath and a national anthem. All this shall be resolved in accordance with special regulations.

Article 28: The basic law for the Palestine Liberation Organization is attached to this Charter. This law defines the manner of establishing the Organization, its organs, institutions, the specialties of each one of them, and all the needed duties thrust upon it in accordance with this Charter.

Article 29: This Charter cannot be amended except by two-thirds majority of the members of the National Council of the Palestine Liberation Organization in a special session called for this purpose.

*Adopted in 1964 by the 1st Palestinian Conference

Palestine National Charter of 1968

Article 1. Palestine is the homeland of the Arab Palestinian people; it is an indivisible part of the greater Arab homeland, and the Palestinian people are an integral part of the Arab nation.

Article 2: Palestine, with the boundaries it had during the British Mandate, is an indivisible territorial unit.

Article 3: The Palestinian Arab people possess the legal right to their homeland and to self-determination after the completion of the liberation of their country in accordance with their wishes and entirely of their own accord and will.

Article 4: The Palestinian identity is a genuine, essential, and inherent characteristic; it is transmitted from fathers to children. The Zionist occupation and the dispersal of the Palestinian Arab people, through the disasters which befell them, do not make them lose their Palestinian identity and their membership in the Palestinian community, nor do they negate them.

Article 5: The Palestinians are those Arab nationals who, until 1947, normally resided in Palestine regardless of whether they were evicted from it or stayed there. Anyone born, after that date, of a Palestinian father- whether in Palestine or outside it- is also a Palestinian.

Article 6: The Jews who had normally resided in Palestine until the beginning of the Zionist invasion are considered Palestinians.

Article 7: There is a Palestinian community and that it has material, spiritual, and historical connection with Palestine are indisputable facts. It is a national duty to bring up individual Palestinians in an Arab revolutionary manner. All means of information and education must be adopted in order to acquaint the Palestinian with his country in the most profound manner, both spiritual and material, that is possible. He must be prepared for the armed struggle and ready to sacrifice his wealth and his life in order to win back his homeland and bring about its liberation.

Article 8: The phase in their history, through which the Palestinian people are now living, is that of national (watani) struggle for the liberation of Palestine. Thus the conflicts among the Palestinian national forces are secondary, and should be ended for the sake of the basic conflict that exists between the forces of Zionism and of colonialism on the one hand, and the Palestinian Arab people on the other. On this basis the Palestinian masses, regardless of whether they are residing in the national homeland or in Diaspora (mahajir) constitute- both their organizations and the individuals- one national front working for the retrieval of Palestine and its liberation through armed struggle.

Article 9: Armed struggle is the only way to liberate Palestine. This is the overall strategy, not merely a tactical phase. The Palestinian Arab people assert their absolute determination and firm resolution to continue their armed struggle and to work for an armed popular revolution for the liberation of their country and their return to it. They also assert their right to normal life in Palestine and to exercise their right to self-determination and sovereignty over it.

Article 10: Commando (Feday'ee) action constitutes the nucleus of the Palestinian popular liberation war. This requires its escalation, comprehensiveness, and the mobilization of all the Palestinian popular and educational efforts and their organization and involvement in the armed Palestinian revolution. It also requires the achieving of unity for the national (watani) struggle among the different groupings of the Palestinian people, and between the Palestinian people and the Arab masses, so as to secure the continuation of the revolution, its escalation, and victory.

Article 11: Palestinians have three mottoes: national unity, national (al-qawmiyya) mobilization, and liberation.

Article 12: The Palestinian Arab people believe in Arab unity. In order to contribute their share toward the attainment of that objective, however, they must, at the present stage of their struggle, safeguard their Palestinian identity and develop their consciousness of that identity, oppose any plan that may dissolve or impair it.

Article 13: Arab unity and the liberation of Palestine are two complementary goals, the attainment of either of which facilitates the attainment of the other. Thus, Arab unity leads to the liberation of Palestine, the liberation of Palestine leads to Arab unity; and the work toward the realization of one objective proceeds side by side with work toward the realization of the other.

Article 14: The destiny of the Arab Nation, and indeed Arab existence itself, depend upon the destiny of the Palestinian cause. From this interdependence springs the Arab nation's pursuit of, and striving for, the liberation of Palestine. The people of Palestine play the role of the vanguard in the realization of this sacred (qawmi) goal.

Article 15: The liberation of Palestine, from an Arab viewpoint, is a national (qawmi) duty and it attempts to repel the Zionist and imperialist aggression against the Arab homeland, and aims at the elimination of Zionism in Palestine. Absolute responsibility for this falls upon the Arab nation-peoples and governments-with the Arab people of Palestine in the vanguard. Accordingly, the Arab nation must mobilize all its military, human, moral, and spiritual capabilities to participate actively with the Palestinian people in the liberation of Palestine. It must, particularly, in the phase of the armed Palestinian revolution, offer and furnish the Palestinian people with all possible help, and material and human support, and make available to them the means and opportunities that will enable them to continue to carry out their leading role in the armed revolution, until they liberate their homeland.

Article 16: The liberation of Palestine, from a spiritual viewpoint, will provide the Holy Land with an atmosphere of safety and tranquillity, which in turn will safeguard the country's religious sanctuaries and guarantee freedom of worship and of visit to all, without discrimination of race, color, language, or religion. Accordingly, the Palestinian people look to all spiritual forces in the world for support.

Article 17: The liberation of Palestine, from a human point of view, will restore to the Palestinian individual his dignity, pride, and freedom. Accordingly, the Palestinian Arab people look forward to the support of all those who believe in the dignity of man and his freedom in the world.

Article 18: The liberation of Palestine, from an international point of view, is a defensive action necessitated by the demands of self-defense. Accordingly, the Palestinian people, desirous as they are of the friendship of all people, look to freedom-loving and peace-loving states for

support in order to restore their legitimate rights in Palestine, to re-establish peace and security in the country, and to enable its people to exercise national sovereignty and freedom.

Article 19: The partition of Palestine in 1947, and the establishment of the state of Israel are entirely illegal, regardless of the passage of time, because they were contrary to the will of the Palestinian people and its natural right in their homeland, and were inconsistent with the principles embodied in the Charter of the United Nations, particularly the right to self-determination.

Article 20: The Balfour Declaration, the Palestine Mandate, and everything that has been based on them, are deemed null and void. Claims of historical or religious ties of Jews with Palestine are incompatible with the facts of history and the conception of what constitutes statehood. Judaism, being a religion, is not an independent nationality. Nor do Jews constitute a single nation with an identity of their own; they are citizens of the states to which they belong.

Article 21: The Arab Palestinian people, expressing themselves by armed Palestinian revolution, reject all solutions which are substitutes for the total liberation of Palestine and reject all proposals aimed at the liquidation of the Palestinian cause, or at its internationalization.

Article 22: Zionism is a political movement organically associated with international imperialism and antagonistic to all action for liberation and to progressive movements in the world. It is racist and fanatic in its nature, aggressive, expansionist and colonial in its aims, and fascist in its methods. Israel is the instrument of the Zionist movement, and the geographical base for world imperialism placed strategically in the midst of the Arab homeland to combat the hopes of the Arab nation for liberation, unity, and progress. Israel is a constant source of threat vis-à-vis peace in the Middle East and the whole world. Since liberation of Palestine will destroy the Zionist and imperialist presence and will contribute to the establishment of peace in the Middle East. That is why the Palestinian people look to the progressive and peaceful forces and urge them all, irrespective of their affiliations and beliefs, to offer the Palestinian people all aid and support in their just struggle for the liberation of their homeland.

Article 23: The demand of security and peace, as well as the demand of right and justice, require all states to consider Zionism an illegitimate movement, to outlaw its existence, and to ban its operations, in order that friendly relations among peoples may be preserved, and the loyalty of citizens to their respective homelands safeguarded.

Article 24: The Palestinian people believe in the principles of justice, freedom, sovereignty, self-determination, human dignity, and the right of peoples to exercise them.

Article 25: For the realization of the goals of this Charter and its principles, the Palestine Liberation Organization will perform its role in the liberation of Palestine.

Article 26: The Palestine Liberation Organization, the representative of the Palestinian revolutionary forces, is responsible for the Palestinian Arab peoples movement in its struggle- to retrieve its homeland, liberate and return to it and exercise the right to self-determination in it- in all military, political, and financial fields and also for whatever may be required by the Palestinian cause on the inter-Arab and international levels.

Article 27: The Palestine Liberation Organization shall cooperate with all Arab states, each according to its potentialities; and will adopt a neutral policy among them in light of the requirements of the battle of liberation; and on this basis does not interfere in the internal affairs of any Arab state.

Article 28: The Palestinian Arab people assert the genuineness and independence of their national revolution and reject all forms of intervention, trusteeship, and subordination.

Article 29: The Palestinian people possess the fundamental and genuine legal right to liberate and retrieve their homeland. The Palestinian people determine their attitude toward all states and forces on the basis of the stands they adopt vis-à-vis the Palestinian revolution to fulfill the aims of the Palestinian people.

Article 30: Fighters and carriers of arms in the war of liberation are the nucleus of the popular army which will be the protective force for the gains of the Palestinian Arab people.

Article 31: This Organization shall have a flag, an oath of allegiance, and an anthem. All this shall be decided upon in accordance with a special law.

Article 32: A law, known as the Basic Statute of the Palestine Liberation Organization, shall be annexed to this Covenant. It will lay down the manner in which the Organization, and its organs and institutions, shall be constituted; the respective competence of each; and the requirements of its obligation under the Charter.

Article 33: This Charter shall not be amended save by [vote of] a majority of two-thirds of the total membership of the National Council of the Palestine Liberation Organization [taken] at a special session convened for that purpose.

Portions of the Political Programme of 9 June 1974, 12th Palestine National Council

On the basis of the Palestinian National Charter and the Political Programme drawn up at the Eleventh Session, held from January 6-12, 1973; and from its belief that it is impossible for a permanent and just peace to be established in the area unless our Palestinian people recover all their national rights and, first and foremost, their rights to return and to self-determination on the whole of the soil of their homeland; and in the light of a study of the new political circumstances that have come into existence in the period between the Council's last and present sessions, resolves the following:

1. To reaffirm the Palestine Liberation Organization's previous attitude to Resolution 242, which obliterates the national right of our people and deals with the cause of our people as a problem of refugees. The Council therefore refuses to have anything to do with this resolution at any level, Arab or international, including the Geneva Conference.
2. The Liberation Organization will employ all means, and first and foremost armed struggle, to liberate Palestinian territory and to establish the independent combatant national authority for the people over every part of Palestinian territory that is liberated. This will require further changes being effected in the balance of power in favour of our people and their struggle.
3. The Liberation Organization will struggle against any proposal for a Palestinian entity the price of which is recognition, peace, secure frontiers, renunciation of national rights and the deprivation of our people of their right to return and their right to self-determination on the soil of their homeland.
4. Any step taken towards liberation is a step towards the realization of the Liberation Organization's strategy of establishing the democratic Palestinian state specified in the resolutions of previous Palestinian National Councils.
5. Struggle along with the Jordanian national forces to establish a Jordanian-Palestinian national front whose aim will be to set up in Jordan a democratic national authority in close contact with the Palestinian entity that is established through the struggle.
6. The Liberation Organization will struggle to establish unity in struggle between the two peoples and between all the forces of the Arab liberation movement that are in agreement on this programme.
7. In the light of this programme, the Liberation Organization will struggle to strengthen national unity and to raise it to the level where it will be able to perform its national duties and tasks.
8. Once it is established, the Palestinian national authority will strive to achieve a union of the confrontation countries, with the aim of completing the liberation of all Palestinian territory, and as a step along the road to comprehensive Arab unity.
9. The Liberation Organization will strive to strengthen its solidarity with the socialist countries, and with forces of liberation and progress throughout the world, with the aim of frustrating all the schemes of Zionism, reaction and imperialism.

Portions of the Declaration by the Palestinian National Council in Cairo
(March 22, 1977)

1. The Palestinian National Council emphasizes that the Palestinian issue is the root and base of the Arab-Zionist conflict, and that Security Council Resolution 242 takes no heed of the Palestinian nation and its unchallengeable rights. The Council therefore emphasizes its opposition to this Resolution and its refusal to negotiate on the basis of it in the Arab and the international arena.
2. The Council emphasizes the position of the PLO, which is unshakably resolved to continue the armed struggle and its concomitant forms of political and mass struggle, to realize those unchallengeable national rights.
3. The Council emphasizes that the struggle on the occupied soil, in all its forms military, political and mass, is the central link in its plans to wage the fight. On that basis, the PLO is striving to escalate the armed struggle on the occupied soil, and all other concomitant forms of struggle, and to provide all forms of moral assistance to the masses of our people on the occupied soil, so as to intensify this struggle and strengthen their stand to defeat and wipe out the occupation.
4. The Council emphasizes the position of the PLO which opposes all forms of American settlements of capitulation and all plans to blot out (the Palestinians). It emphasizes the determination of the PLO to act to thwart any settlement that might be made at the expense of our nation's unchallengeable national rights, and calls upon the Arab nation to fulfil its national responsibility and mobilize all of its resources to face up to these imperialist and Zionist plans.
5. The Council emphasizes the importance and the need of military and political national unity among all the factions of the Palestinian revolution within the PLO, as a basic condition of victory. National unity must, therefore, be coordinated on the several levels and with the several activities, on the basis of adherence to resolutions and the formulation of blueprints for carrying them out.
8. The Council emphasizes the need to strengthen the Arab front which is a partner in the Palestinian revolution, and the linkage with all its partnered forces in all the Arab States. It emphasizes the need to intensify the common Arab struggle and amplify the support for the Palestinian revolution so that it may resist the imperialist and Zionist plots.
9. The Council has resolved to reinforce Arab solidarity and struggle on the basis of the fight against imperialism and Zionism. It has resolved to act for the liberation of all the occupied Arab lands and to cling to the aims of strengthening the Palestinian revolution, and restoring the permanent national rights of the Palestinian nation, without peace (with Israel) or recognition (of Israel).

Letter from Chairman Yasser Arafat to Prime Minister Rabin:

September 9, 1993

Yitzhak Rabin
Prime Minister of Israel

Mr. Prime Minister,

The signing of the Declaration of Principles marks a new era in the history of the Middle East. In firm conviction thereof, I would like to confirm the following PLO commitments:

The PLO recognizes the right of the State of Israel to exist in peace and security.

The PLO accepts United Nations Security Council Resolutions 242 and 338.

The PLO commits itself to the Middle East peace process and to a peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to permanent status will be resolved through negotiations.

The PLO considers that the signing of the Declaration of Principles constitutes a historic event, inaugurating a new epoch of peaceful coexistence, free from violence and all other acts which will endanger peace and stability. Accordingly, the PLO renounces the use of terrorism and other acts of violence and will assume responsibility over all PLO elements and personnel in order to assure their compliance prevent violations and discipline violators.

In view of the promise of a new era and the signing of the Declaration of Principles and based on Palestinian acceptance of Security Council Resolutions 242 and 338, the PLO affirms that those articles of the Palestinian Covenant which deny Israel's right to exist, and the provisions of the Covenant which are inconsistent with the commitments of this letter are now inoperative and no longer valid. Consequently, the PLO undertakes to submit to the Palestinian National Council for formal approval the necessary changes in regard to the Palestinian Covenant.

Sincerely,

Yasser Arafat
Chairman
The Palestine Liberation Organization

Letter from Prime Minister Rabin to Yasser Arafat:

September 9, 1993

Yasser Arafat
Chairman
The Palestinian Liberation Organization

Mr. Chairman,

In response to your letter of September 9, 1993, I wish to confirm to you that, in light of the PLO commitments included in your letter, the Government of Israel has decided to recognize the PLO as the representative of the Palestinian people and commence negotiations with the PLO within the Middle East peace process.

Yitzhak Rabin
Prime Minister of Israel



THE ISRAELI-PALESTINIAN INTERIM AGREEMENT

Washington, D.C., September 28, 1995

CHAPTER 5 - MISCELLANEOUS PROVISIONS

ARTICLE XXIX

Safe Passage between the West Bank and the Gaza Strip

Arrangements for safe passage of persons and transportation between the West Bank and the Gaza Strip are set out in Annex I.

ARTICLE XXX

Passages

Arrangements for coordination between Israel and the Council regarding passage to and from Egypt and Jordan, as well as any other agreed international crossings, are set out in Annex I.

ARTICLE XXXI

Final Clauses

1. This Agreement shall enter into force on the date of its signing.
2. The Gaza-Jericho Agreement, except for Article XX (Confidence-Building Measures), the Preparatory Transfer Agreement and the Further Transfer Protocol will be superseded by this Agreement.
3. The Council, upon its inauguration, shall replace the Palestinian Authority and shall assume all the undertakings and obligations of the Palestinian Authority under the Gaza-Jericho Agreement, the Preparatory Transfer Agreement, and the Further Transfer Protocol.
4. The two sides shall pass all necessary legislation to implement this Agreement.
5. Permanent status negotiations will commence as soon as possible, but not later than May 4, 1996, between the Parties. It is understood that these negotiations shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest.
6. Nothing in this Agreement shall prejudice or preempt the outcome of the negotiations on the permanent status to be conducted pursuant to the DOP. Neither Party shall be deemed, by virtue of having entered into this Agreement, to have renounced or waived any of its existing rights, claims or positions.
7. Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations.

8. The two Parties view the West Bank and the Gaza Strip as a single territorial unit, the integrity and status of which will be preserved during the interim period.

9. The PLO undertakes that, within two months of the date of the inauguration of the Council, the Palestinian National Council will convene and formally approve the necessary changes in regard to the Palestinian Covenant, as undertaken in the letters signed by the Chairman of the PLO and addressed to the Prime Minister of Israel, dated September 9, 1993 and May 4, 1994.

10. Pursuant to Annex I, Article IX of this Agreement, Israel confirms that the permanent checkpoints on the roads leading to and from the Jericho Area (except those related to the access road leading from Mousa Alami to the Allenby Bridge) will be removed upon the completion of the first phase of redeployment.

11. Prisoners who, pursuant to the Gaza-Jericho Agreement, were turned over to the Palestinian Authority on the condition that they remain in the Jericho Area for the remainder of their sentence, will be free to return to their homes in the West Bank and the Gaza Strip upon the completion of the first phase of redeployment.

12. As regards relations between Israel and the PLO, and without derogating from the commitments contained in the letters signed by and exchanged between the Prime Minister of Israel and the Chairman of the PLO, dated September 9, 1993 and May 4, 1994, the two sides will apply between them the provisions contained in Article XXII, paragraph 1, with the necessary changes.

13. a. The Preamble to this Agreement, and all Annexes, Appendices and maps attached hereto, shall constitute an integral part hereof.

b. The Parties agree that the maps attached to the Gaza-Jericho Agreement as:

a. map No. 1 (The Gaza Strip), an exact copy of which is attached to this Agreement as map No. (in this Agreement "map No. 2");

b. map No. 4 (Deployment of Palestinian Police in the Gaza Strip), an exact copy of which is attached to this Agreement as map No. 5 (in this Agreement "map No. 5"); and

c. map No. 6 (Maritime Activity Zones), an exact copy of which is attached to this Agreement as map No. 8 (in this Agreement "map No. 8"); are an integral part hereof and will remain in effect for the duration of this Agreement.

14. While the Jeftlik area will come under the functional and personal jurisdiction of the Council in the first phase of redeployment, the area's transfer to the territorial jurisdiction of the Council will be considered by the Israeli side in the first phase of the further redeployment phases.

Done at Washington DC, this 28th day of September, 1995.

For the Government of the State of Israel
For the PLO

The Institute for Peace Education

The voting session of the Palestinian National Council on the Palestinian Charter Gaza April 24, 1996

Saleem Al-Za'anoon, PNC chairman, Explaining the proposal before the members:

I want to tell you before the voting begins that the judicial committee,

when I attended it, was totally convinced, with a majority of

43 out of 44 members, that we must fulfill the commitment demanded

of us, at the lowest possible price. Therefore, it was said, if we

amend those articles, whose amendment is demanded

it will mean that we have paid a very high price. And if we

prepare a new proposal, it will be less damaging than the 1st solution,

in that, a new charter, no doubt..... Brothers, you must listen, I will

not allow you, its my right to speak. Putting forth a new proposal for the

national covenant is less damaging than the first thing (amending it).

To enter into details (on why it's less damaging) would be of free service (to the Israelis.)

But the version which was drafted is the least damaging that we could

submit. It gives us an extension of 6 months until the Central

Council convenes. And then the Central Council will discuss it.

And it's within its rights to say "I leave it for the National Council"

Brothers, with all my heart, I tell you, that the version which is

in your hands is the best one to be presented to the Palestinian people

regarding the commitment which we have no way out but to pay.

Therefore, brothers, I ask of those who didn't have patience

to listen to me, two words, and thanks also to those

who had the patience.

Now all that Article 33 consists of is that a special majority of

two-thirds is needed.

If more than two-thirds will raise their hands for this proposal,

we will consider it approved.

And if they don't, if less than two-thirds will raise their hands,

I tell you in all honesty that the proposal will fall, and then...

(Arafat): God-willing.

God willing, but I say, my brother, Abu Ammar, I hope,

(that the voting) will succeed with more than two-thirds.

(Arafat): Everyone here, believe me, is more (responsible) than you and me.

and more than Abu 'Alla. Everyone is more responsible than us.

Brothers, who agrees to this proposal raise his hand.

and leave it up until the counting ends.

Marwan Kanafani, Arafat's former spokesman, Member of the PNC and Palestinian Authority Council Explaining to journalists the results of the vote

It is not an amendment. It is not an amendment.

It is a license to start to found a new charter.

Palestinian National Charter Amendment, April 24, 1996

The Palestinian National Council (PNC), in its 21st meeting, and based on the Palestinian Declaration of Independence and Political Statement, approved during its 19th meeting, held in Algeria on November 15, 1988, which adopted the two-state solution, and confirmed the principle of peaceful resolution of conflicts;

And following the introduction of the Declaration of Principles Agreement, signed in Washington [DC] on September 13, which included the agreement of both parties that the time has come to end decades of confrontation and conflict, and to acknowledge both of their legitimate mutual legal rights; and to seek a peaceful, dignified and mutually secure living; and to achieve a peaceful, just, permanent and inclusive resolution, and a historic compromise through the agreed upon political process; and following the international legitimacy presented by United Nations (U.N.) resolutions pertaining the issue of Palestine, including [the issues of] settlements, Jerusalem, [Palestinian] refugees and the remaining issues of the final stage and the implementation of U.N. Resolution 242 and 338; and confirming the commitments of the Palestinian Liberation Organization (PLO) listed in Oslo's Declaration of Principles Agreement, and Cairo's agreement, and letters of recognition, signed on September 9 and 10, 1993, and the Israeli-Palestinian final stage agreement regarding the West Bank and Gaza Strip (Oslo 2), signed in Washington [DC] on September 28, 1995, and PLO Central Council (PCC) decision in October 1993 which accepted Oslo's agreement and all its addendums; and following the convening principles of Madrid Peace Conference and Washington's [DC] negotiations, hereby decides:

First: Amending the Palestinian National Charter, and canceling articles opposing the exchanged letters between PLO and the Israeli government on September 9 and 10, 1993.

Second: The PNC assigns the legal committee the responsibility of rewording the Palestinian National Charter; which will later be presented to the PCC during its first meeting.

تعديل الميثاق الوطني الفلسطيني 24/4/1996

إن المجلس الوطني إذ ينعقد في دورته الحادية والعشرين، وإذ ينطلق من وثيقة إعلان الاستقلال والبيان السياسي المعتمدين في الدورة التاسعة عشرة المنعقدة في الجزائر في 15 نوفمبر (تشرين الثاني) 1988 والتي نصت على اعتماد حل لدولتين وأكدت مبدأ حل النزاعات بالطرق السلمية،

وإذ يستند إلى مقدمة اتفاق إعلان المبادئ الموقع في واشنطن في 13 سبتمبر (أيلول) والتي تضمنت اتفاق الطرفين على أن الوقت قد حان لإنهاء عقود من المواجهة والنزاع والاعتراف بحقوقهما السياسية المشروعة المتبادلة والسعي إلى العيش في ظل تعايش سلمي وبكرامة وأمن متبادلين ولتحقيق تسوية سلمية عادلة ودائمة وشاملة ومصالحة تاريخية من خلال العملية السياسية المتفق عليها، وإذ يستند إلى الشرعية الدولية المتمثلة في قرارات الأمم المتحدة الخاصة بقضية فلسطين، بما فيها المتعلقة بالمستوطنات

والقدس واللاجئين وبقيّة قضايا المرحلة النهائية وتطبيق القرارين (242 و338)، وإذ يؤكد التزامات منظمة التحرير الفلسطينية الواردة في اتفاق إعلان المبادئ في أوسلو والاتفاق الموقع في القاهرة ورسائل الاعتراف الموقعة في 9 و10 سبتمبر (أيلول) 1993 والاتفاق الإسرائيلي - الفلسطيني المرحلي حول الضفة الغربية وقطاع غزة (أوسلو 2) الموقع في واشنطن في 28 سبتمبر (أيلول) 1995 وقرار المجلس المركزي لمنظمة التحرير الفلسطينية في أكتوبر (تشرين الأول) 1993 الذي وافق على اتفاق أوسلو وجميع ملحقاته، وإذ يستند إلى المبادئ التي انعقدت على أساسها مؤتمر مدريد للسلام ومفاوضات واشنطن، يقرر:

أولاً: تعديل الميثاق الوطني وإلغاء المواد التي تتعارض مع الرسائل المتبادلة بين منظمة التحرير الفلسطينية وحكومة إسرائيل يومي 9 و10 سبتمبر (أيلول) 1993.

ثانياً: يكلف المجلس الوطني الفلسطيني اللجنة القانونية إعادة صوغ الميثاق الوطني ويتم عرضه على المجلس المركزي في أول اجتماع له.



Permanent Observer Mission of Palestine to the United Nations



Decisions and Actions Related to the Palestine National Charter

1. The PNC met in a special session on 26 April 1996 to consider the issue of amending the Palestine National Charter and adopted the following decision:

A. To abrogate the provisions of the Palestine National Charter that contradict the letters exchanged between Chairman Yasser Arafat and Prime Minister Yitzhak Rabin of September 9 & 10 1993.

B. To mandate the legal committee of the PLO to present a new text of the Palestine National Charter.

The decision was adopted by more than the required two-thirds majority by a vote of: 504 in favor, 54 against, and 14 abstentions.

2. On 22 January 1998, Chairman Yasser Arafat sent a letter to President Bill Clinton of the US outlining the implications of the PNC decision of 24 April 1996 in terms of the specific articles of the Palestine National Charter that were nullified or amended. As a result, Articles 6-10, 15, 19-23, and 30 have been nullified, and the parts in Articles 1-5, 11-14, 16-18, 25-27 and 29 that are inconsistent with PLO commitments to recognize and live in peace side by side with Israel have also been nullified.

3. On 7 December 1998, the Executive Committee of the PLO reaffirmed the above-mentioned letter sent by Chairman Yasser Arafat to U.S. President Bill Clinton.

On 10 December, the Central Council of the PLO met in Gaza and also decided to reaffirm that letter.

4. On 14 December 1998, at the invitation of Chairman Yasser Arafat, the speaker of the PNC, and the speaker of the Palestinian Council, members of the PNC, as well as members of the Central Council, the Council, Palestinian heads of Ministries, and other personalities convened a meeting in Gaza which was addressed by President Bill Clinton of the United States. The participants reaffirmed, by a show of hands, their support for the peace process and the above-mentioned decisions of the Executive Committee and the Central Council regarding the Charter.

Permanent Observer Mission of Palestine to the United Nations

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October 25, 1996

Israel Ministry of Foreign Affairs

(Communicated by the Government Press Office)

Failure to Change the PLO Covenant The PLO was obligated to amend the clauses in the Palestinian National Covenant which called for the destruction of Israel no later than 7 May 1996 (Article XXXII (9)). On 24 April 1996, the PLO's Palestinian National Covenant (PNC) met and approved such an amendment in principle, yet "the vote did not actually change the Covenant, but gave authority to a PNC legal committee to do so or to draw up a completely new charter within six months." (Jerusalem Post, 25 April 1996) Six months have passed, and no such changes have been made, nor has the PLO specified which particular articles will be changed or when the changes will go into effect. By leaving the Covenant intact, the PLO sends a clear message that it has not renounced violence nor accepted Israel's right to exist.

Letter From Yassar Arafat to President Clinton

January 13, 1998

**His Excellency President William Clinton
President of the United States of America
Washington D.C.**

Dear Mr. President.

In the mutual recognition letters between myself and the late Prime Minister Itzhaq Rabin of September 9/10, 1993, the PLO committed to recognize the right of the State of Israel to exist in peace and security, to accept UN Security Council Resolutions 242 and 338 and to a peaceful resolution of the conflict between the two ideas. The PLO also agreed to secure the necessary changes in the Palestinian Covenant to reflect these commitments.

Accordingly, the P.N.C. was held in Gaza city between 22-25 of April 1996, and in an extraordinary session decided that the "Palestine National Charter is hereby amended by canceling the articles that are contrary to the letters exchanged between the P.L.O. and the Government of Israel on 9/10 September 1993".

It should be noted that the above mentioned resolution acquired the consent of both the American Administration and the Israeli Government. Afterwards I sent letters concerning this historic resolution to your Excellency and Prime Minister Shimon Peres, and later a similar letter was sent to Prime Minister Benyamin Netanyahu.

Both your Excellency and Prime Minister Peres warmly welcomed the P.N.C. Resolution.

The Israeli Labor Party, and in appreciation of the P.N.C. resolution dropped its objection to the establishment of a Palestinian State from its political platform.

From time to time questions have been raised about the effect of the Palestine National Council's action, particularly concerning which of the 33 articles of the Palestinian Covenant have been changed.

We would like to put to rest these concerns. The Palestine National Council's resolution, in accordance with Article 33 of the Covenant, is a comprehensive amendment of the Covenant. All of the provisions of the Covenant which are inconsistent with the P.L.O. commitment to recognize and live in peace side by side with Israel are no longer in effect.

As a result, Articles 6-10, 15, 19-23, and 30 have been nullified, and the parts in Articles 1-5, 11-14, 16-18, 25-27 and 29 that are inconsistent with the above mentioned commitments have also been nullified.

I can assure you on behalf of the PLO and the Palestinian Authority that all the provisions of the Covenant that were inconsistent with the commitments of September 9/10, 1993) to Prime Minister Rabin, have been nullified.

Nablus: January 13, 1998

Yasser Arafat
Chairman of the Executive Committee Of the P.L.O.
President of the P.N.A.

WYE RIVER MEMORANDUM
October 23, 1998

The PLO Charter:

1. The executive committee of the PLO and the Palestinian Central Council will reaffirm the letter of 22 January from PLO Chairman Arafat to President Clinton concerning the nullification of the Palestinian National Charter provisions that are inconsistent with the letters exchanged between the PLO and the Government of Israel on 9/10 September 1993.

2. PLO Chairman Arafat, the Speaker of the Palestine National Council, and the Speaker of the Palestinian Council, will invite the members of the PNC, as well as the members of the Central Council, the Council, and the Palestinian Heads of Ministries to a meeting to be addressed by President Clinton to reaffirm their support for the Peace Process and the aforementioned decisions of the Executive Committee and the Central Council.

On Thursday, December 10, the PLO Central Council met in Gaza and by a vote of 81 to 7 reaffirmed the letter from Arafat to Clinton in January 1998. On Monday, December 14, President Clinton will address the Palestine National Council and other officials, who are then expected to reaffirm the Central Council's vote. (There is no written record of this vote)

On December 14, the PLO, the PCC, and the heads of the various Palestinian ministries met and reaffirmed the PCC vote. (There is no written record of this vote)



WILLIAM J. CLINTON
XLII President of the United States: 1993-2001

Remarks to the Palestine National Council and Other Palestinian Organizations in Gaza City

December 14, 1998

Thank you. Mr. Speaker—Mr. Za'anoun, Chairman Arafat, Mrs. Arafat; members of the Palestinian National Council, the Palestinian Central Council, the Palestinian Executive Committee, Palestinian Council heads of ministries; leaders of business and religion; to all members of the Palestinian community; and to my fellow Americans who come here from many walks of life, Arab-American, Jewish-American: This is a remarkable day. Today the eyes of the world are on you.

I am profoundly honored to be the first American President to address the Palestinian people in a city governed by Palestinians.

I have listened carefully to all that has been said. I have watched carefully the reactions of all of you to what has been said. I know that the Palestinian people stand at a crossroads: behind you a history of dispossession and dispersal, before you the opportunity to shape a new Palestinian future on your own land.

I know the way is often difficult and frustrating, but you have come to this point through a commitment to peace and negotiations. You reaffirmed that commitment today. I believe it is the only way to fulfill the aspirations of your people. And I am profoundly grateful to have had the opportunity to work with Chairman Arafat for the cause of peace, to come here as a friend of peace and a friend of your future, and to witness you raising your hands, standing up tall, standing up not only against what you believe is wrong but for what you believe is right in the future.

I was sitting here thinking that this moment would have been inconceivable a decade ago: no Palestinian Authority; no elections in Gaza and the West Bank; no relations between the United States and Palestinians; no Israeli troop redeployments from the West Bank and Gaza; no Palestinians in charge in Gaza, Ramallah, Bethlehem, Hebron, Tulkarem, Jenin, Nablus, Jericho, and so many other places; there was no Gaza International Airport.

Today I had the privilege of cutting the ribbon on the international airport. Hillary and I, along with Chairman and Mrs. Arafat, celebrated a place that will become a magnet for planes from throughout the Middle East and beyond, bringing you a future in which Palestinians can travel directly to the far corners of the world; a future in which it is easier and cheaper to bring materials, technology, and expertise in and out of Gaza; a future in which tourists and traders can flock here, to this beautiful place on the Mediterranean; a future, in short, in which the Palestinian people are connected to the world.

I am told that just a few months ago, at a time of profound pessimism in the peace process, your largest exporter of fruit and flowers was prepared to plow under a field of roses, convinced the airport would never open. But Israelis and Palestinians came to agreement at Wye River, the airport has

The fulfillment of one side's aspirations must not come at the expense of the other. We must believe that everyone can win in the new Middle East. It does not hurt Israelis to hear Palestinians peacefully and proudly asserting their identity, as we saw today. That is not a bad thing. And it does not hurt Palestinians to acknowledge the profound desire of Israelis to live without fear. It is in this spirit that I ask you to consider where we go from here.

I thank you for your rejection fully, finally, and forever of the passages in the Palestinian Charter calling for the destruction of Israel, for they were the ideological underpinnings of a struggle renounced at Oslo. By revoking them once and for all, you have sent, I say again, a powerful message not to the Government but to the people of Israel. You will touch people on the street there. You will reach their hearts there.

I know how profoundly important this is to Israelis. I have been there four times as President. I have spent a lot of time with people other than the political leaders, Israeli schoolchildren who heard about you only as someone who thought they should be driven into the sea. They did not know what their parents or grandparents did that you thought was so bad; they were just children, too. Is it surprising that all this has led to the hardening of hearts on both sides, that they refused to acknowledge your existence as a people and that led to a terrible reaction by you?

By turning this page on the past, you are taking the lead in writing a new story for the future. And you have issued a challenge to the Government and the leaders of Israel to walk down that path with you. I thank you for doing that. The children of all the Middle East thank you.

But declaring a change of heart still won't be enough. Let's be realistic here. First of all, there are real differences. And secondly, a lot of water has flowed under the bridge, as we used to say at home. An American poet has written, "Too long a sacrifice can make a stone of the heart." Palestinians and Israelis in their pasts both share a history of oppression and dispossession; both have felt their hearts turn to stone for living too long in fear and seeing loved ones die too young. You are two great people of strong talent and soaring ambition, sharing such a small piece of sacred land.

The time has come to sanctify your holy ground with genuine forgiveness and reconciliation. Every influential Palestinian, from teacher to journalist, from politician to community leader, must make this a mission to banish from the minds of children glorifying suicide bombers, to end the practice of speaking peace in one place and preaching hatred in another, to teach schoolchildren the value of peace and the waste of war, to break the cycle of violence. Our great American prophet Martin Luther King once said, "The old law of an eye for an eye leaves everybody blind."

I believe you have gained more in 5 years of peace than in 45 years of war. I believe that what we are doing today, working together for security, will lead to further gains and changes in the heart. I believe that our work against terrorism, if you stand strong, will be rewarded, for that must become a fact of the past. It must never be a part of your future.

Let me say this as clearly as I can: No matter how sharp a grievance or how deep a hurt, there is no justification for killing innocents.

Mr. Chairman, you said at the White House that no Israeli mother should have to worry if her son or daughter is late coming home. Your words touched many people. You said much the same thing

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March 27, 2013

VIA FEDEX

The Honorable William J. Clinton
55 West 125th Street
New York, New York 10027

RE: Your December 14, 1998 Speech to the Leaders of the Palestinians

Dear President Clinton,

You have recently written an article which was published in the Washington Post in which you stated that you now consider unconstitutional the Defense of Marriage law outlawing recognition of gay marriage which you signed, as President. I consider it extremely admirable for you to admit that you made a mistake on such an important issue.

I respectfully request that you reconsider the following paragraph from your remarkable speech which you delivered to the Palestinian leaders on December 14, 1998:

“ . . . I thank you for your rejection fully, finally, and forever of the passages in the Palestinian Charter calling for the destruction of Israel, for they were the ideological underpinnings of a struggle renounced at Oslo. By revoking them once and for all, you have sent, I say again, a powerful message not to the Government but to the people of Israel. You will touch people on the street there. You will reach their hearts there. . . .”

The Palestinian leaders, prior to your speech, had reaffirmed the content of Arafat's January 13, 1998 letter to you. Arafat in this letter listed several enumerated clauses from their all-important Palestinian Charter (Covenant) which he alleged were annulled by the Palestinian National Council (PNC) on Aril 24, 1996. These Arafat allegations were untrue which I shall prove to you below. If these Arafat allegations were not true, all of the December 1998 Palestinian reaffirmations of Arafat's letter to you are meaningless. A reaffirmation of a non-existing fact can not convert the non-occurrence into something that took place.

I make the following offer: I hereby agree to donate \$100,000 to your William J. Clinton Foundation plus \$25,000 each to Paraplegic American Vets, Blinded American Vets, Paraplegic Israeli Vets, and Blinded Israeli Vets if someone comes forward with a valid Charter dated prior to January 13, 1998, which omits the allegedly annulled Charter clauses and includes the newly partially annulled clauses, enumerated in Arafat's January letter to you.

The Palestinian daisy chain of chicanery to bamboozle you, Prime Minister Netanyahu and the world that they changed their Charter starts with Arafat's September 9, 1993 letter to Prime Minister Rabin. Arafat stated in this letter ". . . The PLO affirms that those articles of the Palestinian Covenant (Charter) which deny Israel's right to exist and the provisions of the covenant which are inconsistent with the commitments of this letter are now inoperative and no longer valid. **Consequently, the PLO undertakes to submit to the (PNC) Palestinian National Council (Congress) for formal approval changes in regard to the Palestinian Covenant.**"

Clause 33 of the 1968 Amended 1964 Charter states "This charter shall not be amended save by [votes of] a majority of two-thirds of the total membership of the National Congress (Council) of the Palestinian Liberation Organization [taken at] a special session convened for that purpose." Therefore, every Arafat commitment which contravened the Charter was subject to the approval of the PNC. Each, if not all of Arafat's commitments in his letter to Prime Minister Rabin were violative of Charter articles. Simply stated, unless the PNC voted to approve Arafat's commitments pursuant to Article 33, Arafat's commitments were worthless.

More than two and one half years after Arafat's Sept. 1993 letter to Prime Minister Rabin, the PNC met on April 24, 1996. Before the members voted for a two clause resolution, PNC Chairman Zanoun delivered a speech in which he declared that we had to do something (he was indirectly referring to Clause XXXI, Paragraph 9 of Oslo II which required the modification of the Charter clauses within two months of the inauguration of Oslo II.) Oslo II became effective on March 7, 1996 which meant that changes in the Charter had to take place before May 7, 1996. Zanoun further stated that it would be less damaging if we prepared a new Charter rather than amending the old charter which gives us an extension of six months until the Central Council meets. It is very obvious that Zanoun was pleading with the PNC members to vote for the resolution because in reality it was a delaying tactic.

The two clause resolution for which the members of the PNC voted clearly did not change the Palestinian Charter. Clause one definitely states that the PNC intends to amend the Charter by cancelling articles which are contrary to the September exchange of letters between Arafat and Rabin. However, no specific Charter clauses were mentioned. Clause two assigns to a legal committee the task of redrafting the Charter and presenting it to the PCC (Palestinian Central Council) at a future time. No reading of those two clauses combined with the Zanoun speech and the fact that there is no evidence that a legal committee ever redrafted a new Charter and no evidence that anything was ever presented to the PCC, could possibly enable any reasonably objective person to conclude that any specific change in the Charter happened when the PNC voted to approve the resolution.

The Israeli Foreign Ministry issued a communique in October 1996 in response to the PNC April 1996 resolution and vote. It referred to Clause XXXI of Oslo II requiring changes in the Charter within two months from the inauguration of the agreement. The communique then stated that no changes were made in the PNC April 1996 resolution and vote. There is no evidence that anything pertaining to the Charter ever occurred after the October 1996 Israel Foreign Ministry Communique until Arafat sent his January 13, 1998 letter to you.

Arafat alleged in this letter that specifically enumerated clauses of the Charter were annulled and that other specifically enumerated clauses were partially annulled by the PNC April 1996 vote. These allegations were bold face lies. The evidence above unequivocally proves that nothing specific happened in that PNC April 1996 vote and nothing pertaining to the Charter

happened since that vote. The Wye River Memorandum and the subsequent Palestinian Leaders December 1998 votes and reaffirmations of Arafat's letter to you could not convert a lie into the truth. If the Palestinian leadership really wanted to amend the Charter, they had two years and seven months from the date of Arafat's letter to Prime Minister Rabin to list the annulled clauses and redraft the Charter.

Every Palestinian leadership step proved conclusively that they never intended to change one word of their Charter. They used Arafat's deceptive, meaningless Sept. 1993 letter to Prime Minister Rabin and the April 1996 PNC vote which referred to Arafat's letter as the basis of an amendment without actually amending anything. Then they used Arafat's false allegations in his January 1998 letter to you and reaffirmations of falsehoods as a continuation of their chain of alleged annulments without ever changing one word of the Charter.

Mr. President, I believe that you would perform a service to our country, the world, and to yourself if you were to state that the Palestinians have never changed their "Destroy Israel" Charter which was created when Israel was within her 1967 borders.

Respectfully,



William K. Langfan

Enclosures:

- 1 - 1964 PLO Charter
- 2 - 1968 Amended PLO Charter
- 3 - Letters between Arafat & Rabin, Sept. 1993
- 4 - Zanon Speech 4/24/96 & DVD
- 5 - 1996 PNC Resolution (Arabic & English)
- 6 - Israeli Foreign Ministry Communique
- 7 - Arafat Letter to President Clinton, Jan. 13, 1998
- 8 - Wye River Memorandum
- 9 - Portions of President Clinton Speech, Dec. 14, 1998

Fatalities from Palestinian Terrorism (1920 - 2012)

Year	Number of Deaths	Year	Number of Deaths	Year	Number of Deaths
1920	9	1951	41	1982	6
1921	24	1952	40	1983	21
1922	5	1953	46	1984	9
1923	0	1954	41	1985	27
1924	4	1955	30	1986	14
1925	1	1956	53	1987	11
1926	1	1957	19	1988	16
1927	1	1958	15	1989	40
1928	0	1959	10	1990	33
1929	119	1960	11	1991	21
1930	0	1961	8	1992	34
1931	2	1962	10	1993	45
1932	4	1963	7	1994	65
1933	0	1964	9	1995	29
1934	0	1965	10	1996	56
1935	1	1966	10	1997	41
1936	44	1967	16	1998	16
1937	10	1968	55	1999	8
1938	94	1969	33	2000	43
1939	26	1970	74	2001	207
1940	137	1971	18	2002	457
1941	14	1972	46	2003	213
1942	4	1973	27	2004	124
1943	1	1974	67	2005	53
1944	3	1975	39	2006	29
1945	1	1976	14	2007	13
1946	28	1977	9	2008	36
1947	152	1978	57	2009	6
1948	379	1979	10	2010	10
1949	37	1980	16	2011	21
1950	52	1981	14	2012	0 ...

During the six years of the first [uprising](#) (Dec. 9, 1987 to [Sep. 9, 1993](#)), 200 people were murdered. More than 1,000 Israelis were killed during the [Palestinian War](#) (September 2000-September 2005).

*Note: Figures include Israeli civilians and security personnel, and foreigners killed in [Palestinian terrorist](#) attacks in Israel and the territories. They do not include Palestinians killed by other Palestinians on suspicion of cooperating with Israel. This list also includes 18 Israelis killed abroad in terror attacks directed specifically against Israeli targets, and 3 American diplomatic personnel killed in [Gaza](#).

<http://www.jewishvirtuallibrary.org/jsourc/Peace/osloterr.html>

The Palestinian National Charter (Covenant) as allegedly annulled and modified pursuant to Arafat's January 13, 1998 letter to President Clinton

WKL Charter Revision: There is no record that any of these articles had been partially modified; nor is there any valid PNC vote which specifically nullified any article.

A/A = Allegedly Annulled under Arafat's 1/13/98 letter (there is no evidence that any of these articles has ever been annulled)

A/P/A = Allegedly Partially Annulled under Arafat's 1/13/98 letter (there is no evidence that any of these articles has ever been partially annulled)

NC = No Change (there was never any claim that this provision was ever changed under Arafat's 1/13/1998 letter)

Article 1: A/P/A Palestine is the homeland of the Arab Palestinian people; it is an indivisible part of the Arab homeland, and the Palestinian people are an integral part of the Arab nation.

Article 2: A/P/A Palestine, with the boundaries it had during the British Mandate, is an indivisible territorial unit.

Article 3: A/P/A The Palestinian Arab people possess the legal right to their homeland and have the right to determine their destiny after achieving the liberation of their country in accordance with their wishes and entirely of their own accord and will.

Article 4: A/P/A The Palestinian identity is a genuine, essential, and inherent characteristic; it is transmitted from parents to children. The Zionist occupation and the dispersal of the Palestinian Arab people, through the disasters which befell them, do not make them lose their Palestinian identity and their membership in the Palestinian community, nor do they negate them.

Article 5: A/P/A The Palestinians are those Arab nationals who, until 1947, normally resided in Palestine regardless of whether they were evicted from it or have stayed there. Anyone born, after that date, of a Palestinian father - whether inside Palestine or outside it - is also a Palestinian.

Article 6: A/A

Article 7: A/A

Article 8: A/A

Article 9: A/A

Article 10: A/A

Article 11: A/P/A The Palestinians will have three mottoes: national (wataniyya) unity, national (qawmiyya) mobilization, and liberation.

Article 12: A/P/A The Palestinian people believe in Arab unity. In order to contribute their share toward the attainment of that objective, however, they must, at the present stage of their struggle, safeguard their Palestinian identity and develop their consciousness of that identity, and oppose any plan that may dissolve or impair it.

Article 13: A/P/A Arab unity and the liberation of Palestine are two complementary objectives, the attainment of either of which facilitates the attainment of the other. Thus, Arab unity leads to the liberation of Palestine, the liberation of Palestine leads to Arab unity; and work toward the realization of one objective proceeds side by side with work toward the realization of the other.

Article 14: A/P/A The destiny of the Arab nation, and indeed Arab existence itself, depend upon the destiny of the Palestine cause. From this interdependence springs the Arab nation's pursuit of, and striving for, the liberation of Palestine. The people of Palestine play the role of the vanguard in the realization of this sacred (qawmi) goal.

Article 15: A/A

Article 16: A/P/A The liberation of Palestine, from a spiritual point of view, will provide the Holy Land with an atmosphere of safety and tranquility, which in turn will safeguard the country's religious sanctuaries and guarantee freedom of worship and of visit to all, without discrimination of race, color, language, or religion. Accordingly, the people of Palestine look to all spiritual forces in the world for support.

Article 17: A/P/A The liberation of Palestine, from a human point of view, will restore to the Palestinian individual his dignity, pride, and freedom. Accordingly the Palestinian Arab people look forward to the support of all those who believe in the dignity of man and his freedom in the world.

Article 18: A/P/A The liberation of Palestine, from an international point of view, is a defensive action necessitated by the demands of self-defense. Accordingly the Palestinian people, desirous as they are of the friendship of all people, look to freedom-loving, and peace-loving states for support in order to restore their legitimate rights in Palestine, to re-establish peace and security in the country, and to enable its people to exercise national sovereignty and freedom.

Article 19: A/A

Article 20: A/A

Article 21: A/A

Article 22: A/A

Article 23: A/A

Article 24: NC The Palestinian people believe in the principles of justice, freedom, sovereignty, self-determination, human dignity, and in the right of all peoples to exercise them.

Article 25: A/P/A For the realization of the goals of this Charter and its principles, the Palestine Liberation Organization will perform its role in the liberation of Palestine in accordance with the Constitution of this Organization.

Article 26: A/P/A The Palestine Liberation Organization, representative of the Palestinian revolutionary forces, is responsible for the Palestinian Arab people's movement in its struggle - to retrieve its homeland, liberate and return to it and exercise the right to self-determination in it - in all military, political, and financial fields and also for whatever may be required by the Palestine case on the inter-Arab and international levels.

Article 27: A/P/A The Palestine Liberation Organization shall cooperate with all Arab states, each according to its potentialities; and will adopt a neutral policy among them in the light of the requirements of the war of liberation; and on this basis it shall not interfere in the internal affairs of any Arab state.

Article 28: NC The Palestinian Arab people assert the genuineness and independence of their national (wataniyya) revolution and reject all forms of intervention, trusteeship, and subordination.

Article 29: A/P/A The Palestinian people possess the fundamental and genuine legal right to liberate and retrieve their homeland. The Palestinian people determine their attitude toward all states and forces on the basis of the stands they adopt vis-a-vis to the Palestinian revolution to fulfill the aims of the Palestinian people.

Article 30: A/A

Article 31: NC The Organization shall have a flag, an oath of allegiance, and an anthem. All this shall be decided upon in accordance with a special regulation.

Article 32: NC Regulations, which shall be known as the Constitution of the Palestinian Liberation Organization, shall be annexed to this Charter. It will lay down the manner in which the Organization, and its organs and institutions, shall be constituted; the respective competence of each; and the requirements of its obligation under the Charter.

Article 33: NC This Charter shall not be amended save by [vote of] a majority of two-thirds of the total membership of the National Congress of the Palestine Liberation Organization [taken] at a special session convened for that purpose.

A/A = Allegedly Annulled under Arafat's 1/13/98 letter (there is no evidence that any of these articles has ever been annulled)

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April 25, 1996

P.L.O. ENDS CALL FOR DESTRUCTION OF JEWISH STATE

By SERGE SCHMEMANN

GAZA, April 24— Bowing to the insistent demands of Yasir Arafat, the main assembly of the Palestine Liberation Organization voted today to revoke the clauses in its 32-year-old charter that called for an armed struggle to destroy the Jewish state.

The vote came behind closed doors after two days of impassioned speeches at the first meeting of the Palestine National Council, the old Palestinian parliament-in-exile, inside Palestinian lands since Mr. Arafat began peace talks with Israel and gained control over portions of the West Bank and Gaza.

The vote was 504 in favor of amending the document and 54 against. Fourteen members abstained, and 97 of the 669 members of the council were absent, including members of radical movements who refused to attend any discussions on changing the charter.

The vote was well over the two-thirds required to amend the charter.

The vote, coming when Israeli-Palestinian relations are severely strained by suicide bombings and subsequent Israeli restrictions, and by the strife in Lebanon, testified to the central importance that Mr. Arafat and most Palestinian leaders place on continuing peace talks.

Younger delegates raised within Palestinian lands, who have placed great hopes on a peace, in particular viewed the vote as a victory over older, more militant exiles.

"It's a dream for us to be here and say 'enough is enough of the old style, it's time to face the new era,' " said Mufid Abu Rabbo, 39, a member of the new Palestinian legislature from Tulkarm, who spent many years in Israeli prisons.

Israel and the United States, which were both involved behind the scenes, hailed the vote.

"Ideologically it may be the most important change in the last hundred years," Prime Minister Shimon Peres said on Israel Radio. Secretary of State Warren Christopher, arriving in Tel Aviv on the fifth day of shuttle diplomacy to stop the latest spasm of fighting in Lebanon, said, "It really is a historic milestone on the road to reconciliation and peace between the people of Israel and the Palestinians."

The tally was a major personal victory for Mr. Arafat, who had to convince a hall full of grizzled veterans of the armed struggle to make a gesture demanded by Israel just when Gaza is in the eighth week of crippling restrictions imposed after four suicide bombings, and when continuing Israeli raids into

Lebanon are causing deep resentment among Arabs.

In impassioned speeches on Monday and Tuesday, Mr. Arafat argued that failure by the Palestinians to live up to their commitments would give Israel a pretext to suspend the negotiating effort.

"Make up your minds!" he demanded on Tuesday. "Are we going to have a Palestinian dream or not? Are we going to have statehood or not? We don't want to go astray again. We don't want to begin again from less than zero."

Formally, the resolution adopted by the council consisted of two simple clauses. The first declared that the council "decides to amend the Palestinian National Covenant by canceling clauses which contradict the letters exchanged between the P.L.O. and the Israeli Government." The second ordered a new charter to be drafted within six months.

The formula was drawn up to satisfy the Israeli-Palestinian agreement signed in Washington on Sept. 28, which declared that within two months of the inauguration of an elected legislative council, the P.L.O. would change its charter to comply with letters in which Mr. Arafat recognized the right of the state of Israel "to exist in peace and security," and renounced "the use of terrorism and other acts of violence."

In exchange, the Prime Minister at the time, the late Yitzhak Rabin, recognized the P.L.O. and agreed to open formal negotiations with it.

The plan to draft a new charter was intended to deflect criticism from frustrated Palestinians by implying that the P.L.O. had not discarded the option of drafting a tough new charter.

Though time and the Israeli-Palestinian agreements had rendered the charter largely obsolete, the formal revocation of the hostile clauses carried a great symbolic importance for Israelis. It was so important that Mr. Peres agreed to let some of the most notorious terrorists return to Palestinian lands to make it possible for Mr. Arafat to convene the entire Palestine National Council.

Among them was Mohammed Abbas, the mastermind of the Achille Lauro hijacking of 1985; Abu Daoud, who is believed to have taken part in the massacre of Olympic athletes in Munich in 1972, and Leila Khaled, a participant in two air hijackings. Mr. Abbas and Abu Daoud, both avowing that they were now all for peace, voted in favor of amending the charter, while Miss Khaled, still a firebrand, joined her comrades in the radical Popular Front for the Liberation of Palestine in boycotting the debate.

The old covenant, adopted at the founding of the P.L.O. in 1964 and revised in 1968, reflected the times, and the violent and romantic Arab commitment to a death struggle with Israel, rich in denunciations of "Zionist occupation" and pledges of "armed liberation struggle."

Among the articles the Israelis wanted the Palestinians to negate was Article 10, which declared that "Fedayeen action," or guerrilla warfare, "forms the nucleus of the popular Palestinian war of liberation." Another, Article 15, declared that "The liberation of Palestine, from an Arab viewpoint, is a national duty to repulse the Zionist, imperialist invasion from the great Arab homeland and to purge the Zionist presence from Palestine."

The Israelis reportedly wanted the council to revoke such declarations one by one, but Mr. Arafat ran up against strong resistance to acting too blatantly at Israel's behest. Many delegates wanted the covenant supplanted by either a new charter or by a "declaration of independence" that the P.L.O. adopted in 1988. This, in turn, was vehemently resisted by the Israelis.

The compromise, drafted by Mr. Arafat and his aides overnight, was a resolution that followed the letter of the Palestinian obligation under the September agreement, but did not spell out the changes. It also promised a new charter to come, which delegates said would include principles from the "declaration of independence," including a claim to Jerusalem as the Palestinian capital.

Even so, the resolution met with some strong resistance. Among those who voted against it was Hanan Ashrawi, a lawyer from the West Bank well known as a spokeswoman for the Palestinians. "This will appear to be a succumbing to Israeli dictate," she said.

Others argued that the changes were not the result of Israeli pressure, but of duty. "We made this obligation three years ago, and we knew that one day we would have to take this step," said Muir Shreim, a member of the Palestinian delegation at the United Nations. "This is a strong message to the Israeli people that the Palestinian people chose the road to peace."

The message was one that both Mr. Peres and Mr. Arafat very much wanted the Israelis to hear before the May 29 national election, to demonstrate to skeptical voters that the Labor Government's peace accords were indeed altering the agenda and methods of the Palestinians.

Since the suicide bombings of eight weeks ago, Mr. Arafat has also cracked down on Islamic militants in Gaza and the West Bank, and Mr. Peres said that all this confirmed the wisdom of his peace policy.

"He fights terror, he changed the covenant exactly as he pledged," Mr. Peres said of Mr. Arafat. "Both the fighting of terror and the changing of the covenant is a new development in the last 100 years."

In response, Mr. Peres was expected to go ahead with the withdrawal from Hebron, the last West Bank city from which Israel agreed last September to pull out. The withdrawal was suspended after the suicide bombing attacks eight weeks ago.

Mr. Peres's Labor party is also expected to revoke from its platform its formal opposition to the formation of a Palestinian state.

The actions on both sides clear the way for the start of the next and final phase of negotiations, the "final settlement" talks that are to take on the most difficult issues, such as the status of Jerusalem, the future of Israeli settlements in Palestinian lands, and water resources.

Under existing agreements, the next round of talks is supposed to open on May 7. Their direction, however, will not be determined until the victor of the election is known.

Photo: Yasir Arafat voting yesterday to change the Palestinian charter. (Agence France-Presse)

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NATIONS****A**

General Assembly

A/52/995
28 July 1998

Fifty-second session

Agenda item 37

The situation in the Middle East

**Letter dated 27 July 1998 from the Permanent Representative of Israel
to the United Nations addressed to the Secretary-General**

The Palestinian National Covenant is the founding charter of the Palestine Liberation Organization (PLO), delineating the organizations stated aims and goals. Almost all of the articles in the Covenant explicitly or implicitly deny Israel's right to exist and reject any peaceful solution to the Arab-Israeli conflict. For example, article 19 states, "the establishment of Israel is fundamentally null and void, whatever time has elapsed ...", while article 15 calls for "the liquidation of the Zionist presence in Palestine". Article 22 again asserts that "the liberation of Palestine will destroy the Zionist and imperialist presence and will contribute to the establishment of peace in the Middle East ...".

The Covenant also denies the existence of the Jewish people as a nation and any ties that it might have to the Land of Israel (article 20): "Nor do Jews constitute a single nation". It declares that "armed struggle is the *only* [emphasis added] way to liberate Palestine" (article 9). There is no question that the Palestinian National Covenant calls for politicide: the destruction of the State of Israel.

For this reason, all Israeli Governments have insisted on the revision of the Palestinian National Covenant as a fundamental requirement in any process of mutual recognition and reconciliation between Israel and the PLO. On 9 September 1993, in his exchange of letters with the late Prime Minister Yitzhak Rabin, PLO Chairman Yasser Arafat affirmed in the name of the PLO that those articles of the Covenant which deny Israel's right

to exist (and were inconsistent with the PLOs new commitments) were inoperative and no longer valid. Mr. Arafat, moreover, made a commitment to submit the necessary changes in the Covenant to the Palestinian National Council (PNC) for formal approval.

The PLO reaffirmed this commitment again on 4 May 1994 in the Agreement on the Gaza Strip and Jericho Area. The PLO reaffirmed this commitment, yet another time, on 28 September 1995 with the signing of the "Oslo II" Interim Agreement.

On 24 April 1996, the Palestinian National Council (PNC) convened in Gaza and adopted a resolution concerning the Covenant by a vote of 504 to 54 with 14 abstentions. Translated from the Arabic, the text of the resolution read as follows:

"It has been decided upon:

1. Amending the National Charter by cancelling the articles that are contrary to the letters exchanged between the PLO and the Government of Israel, on 9 and 10 September 1993.
2. The empowerment of a legal committee with the task of redrafting the National Charter. The Charter will be presented to the first meeting of the Central Council."

The pivotal problem with the PNC resolution is that it did not change the Covenant. While the PNC declared its readiness in principle to change the document, the only practical step taken was the empowerment of a legal committee to draft a new Covenant for presentation at a future date. Two days before the PNC meeting, Mr. Arafats deputy, Mahmud Abbas (Abu Mazen), informed the Israeli Government that an unambiguous revision of the Covenant would not be approved by the PNC. Therefore, the PNC resolution that was ultimately drafted was intentionally vague.

Since the Covenant is a legally binding document, declaring a willingness to alter it does not amount to amending it. No changes were adopted and implemented by the PNC, nor was there any specific mention of articles to be amended. While Israeli and American spokesmen were hopeful at the time that, despite this ambiguity, the Palestinian National Covenant had at last been changed, subsequent statements by Palestinian spokesmen confirmed that, in fact, no revision had been made.

At the time of the vote, senior PLO officials acknowledged that the Covenant had not been changed. PLO Executive Committee member Sakhr Habash said, "the text of the charter remains as it is since it has not been amended yet. Therefore, it is frozen, not cancelled." (*An-Nahar*, 5 May 1996). An internal report published shortly after the PNC vote by the Research and Thought Department of the Fatah Organization (Fatah Publication Number 8, Nissan 1996) contained a similar determination. The report stated, "The text of the Palestinian National Covenant remains as

it was and no changes *whatsoever* [emphasis added] were made to it. This has caused it to be frozen, but not annulled".

The PNC itself failed to make any mention of changing the Covenant in its closing statement at the end of its session, on 25 April 1996. The PNC did publish a concluding document summarizing its activity, which included 19 specific resolutions and decisions on subjects ranging from Jerusalem to Israeli settlements. But it contained no reference to any decision to amend the Covenant (*Al-Quds*, 26 April 1996; *Voice of Palestine*, 26 April 1996).

Less than a month after the PNC vote, PNC Chairman Selim Zaanoun asserted that the Covenant had been amended but added that "no specific articles" were cancelled (*An-Nahar*, 16 May 1996). In an interview on 22 January 1998, Faisal Hamdi Husseini, head of the PNC's legal committee, said "The change has not yet been carried out."

In the Note for the Record, which accompanied the 15 January 1997 Hebron Protocol, the PLO made an explicit commitment to "Complete the process of revising the Palestinian National Charter". This was an open acknowledgement that, until that point, it had failed to change the Covenant, for otherwise there would be no need to "complete the process" of revising it. This was the *fourth* time the PLO undertook to revise the Covenant since the beginning of the Oslo process.

It should be added that Chairman Arafat committed himself to the Note for the Record, which was also signed by United States Ambassador Dennis Ross on behalf of the United States of America. That agreement included an explicit commitment to the principle of reciprocity: Israel would not be expected to implement its commitments if the PLO did not fulfil its pledges, including its pledge to revise the Covenant.

Article 33 of the Covenant states that the only body empowered to change the document is the Palestinian National Covenant (PNC) and that such changes must be approved by a two-thirds majority of the PNC in a special session. Thus, Chairman Arafat's recent letters on the subject to world leaders, like President Clinton or Prime Minister Blair, are insufficient. Under the procedure outlined by the Covenant itself, Chairman Arafat's letters have no legal bearing on the text of the document. Therefore, the PLO's obligation to convene the PNC in order to amend the Covenant remains unfulfilled.

As the late Prime Minister Yitzhak Rabin said in a speech to the Knesset on 5 October 1995, at the time of the ratification of the "Oslo II" Interim Agreement: "The Palestinian Authority has not up until now honoured its commitment to change the Palestinian Covenant ... I view these changes as a supreme test of the Palestinian Authority's willingness and ability, and the changes required will be an important and serious touchstone vis-à-vis the continued implementation of the agreement as a whole".

Given all the contradictory statements that have been made by mainstream Palestinian officials about the Covenant, Israel must be insistent that this change be carried out in a clear-cut and indisputable manner. No nation can agree to make itself more vulnerable, in a negotiating process, when its negotiating partner remains ambiguous about whether it still intends to wage a war of destruction.

I should be grateful if you would have the text of this letter circulated as a document of the General Assembly under agenda item 37 entitled "The Situation in the Middle East".

(Signed) Ambassador Dore **Gold**
Permanent Representative of Israel
to the United Nations

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