



The Oslo Accords at 30 **Lessons Learned**

**Israel's accession to
Palestinian Authority support for
terror, subversion, and radicalization**

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Brig.-Gen. (res.) Yossi Kuperwasser | Amb. Alan Baker
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Cover photo:

The Oslo Accords signing ceremony at the White House on September 13, 1993. Israeli Foreign Minister Shimon Peres sits at the table, prepared to sign. Behind him (from the right) PLO official Mahmoud Abbas, U.S. Secretary of State Warren Christopher, PLO Chairman Yasser Arafat, U.S. President Bill Clinton, Israeli Prime Minister Yitzhak Rabin, and Russian Foreign Minister Andrei Kozyrev. (*Avi Ohayon/GPO*)

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Palestinian terror against Israel or Israelis undermines any possibility for a future of peace between our peoples. Israelis are targeted while waiting for busses, while taking a stroll on the promenade, while spending time with their family. At the same time, successful terror attacks are celebrated, terrorists are glorified, and their families are financially rewarded for every Israeli they attack. This is inconceivable. It is a moral disgrace. Terror is not a bump in the road. Terror is hatred and bloodshed. It contradicts humanity's most basic principles of peace. Israel cannot and will not tolerate terror, and we know that in this we are joined by the United States of America... The younger generation of Israelis and Palestinians deserve better. They are all worthy of a future to look towards, a future of peace and prosperity. A future of hope.

*Address of President **Isaac Herzog** to a joint session of Congress,
Washington, July 19, 2023*

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Sander's wisdom, moral clarity, and power of persuasion with U.S. government leaders and lawmakers resulted in the historic passage of the Taylor Force Act, unprecedented U.S. legislation that requires Congress to stop American economic aid to the Palestinian Authority until the PA ceases paying salaries and stipends to individuals who commit acts of terrorism and to the families of deceased terrorists.

Foreword

The PLO and PA Political Warfare and Israel's Response

Dan Diker

This Jerusalem Center for Public Affairs' policy compendium exposes, explores, and assesses how the three-decade Oslo Accords' diplomatic process, particularly Israel's concessionary approach and policy passivity towards PLO and PA financial incentivization of terror, corruption, and international defamation of Israel's legal and diplomatic rights, have enabled the PLO-PA to assault Israel and defame its international standing. Simultaneously, the PLO's cooption of Israel's legitimacy has enhanced its international profile and standing as a UN non-member observer state. This research and policy initiative recommends a more effective pathway for Israel to correct past policy errors, and hold the PA accountable, to achieve a more secure and viable approach to Israel-PA relations.

The thirty years of the Oslo Peace Accords between Israel and the Palestine Liberation Organization have resulted in unintended consequences. The internationally-witnessed and -guaranteed Oslo Accords, first signed at the White House in 1993 under the Clinton Administration, were designed to end PLO terrorism, terror incentivization, hate indoctrination, antisemitism, radicalism, and political warfare. Ironically, the Accords have brought the opposite outcome.

The PLO and its internationally-recognized subsidiary, the Palestinian Authority, have intensified their global assault against Israel. The Palestinian Authority's "Pay for Slay" cash incentive system has fueled terror against Israeli civilians, killing and wounding thousands. Nazi, Soviet, and Islamist anti-Semitic conspiracy motifs have flooded Western social networks, and massive PA corruption has paralyzed the Palestinian economy and thrust the Palestinian public into the arms of the Iran-backed Hamas. Oslo's mandated "free and fair" Palestinian elections have entrenched the Fatah domination of the Palestinian Authority, with PA Chairman Mahmoud Abbas in the 19th year of his first four-year, PA-law-prescribed, term. Perhaps most far-reaching, the Oslo process has resulted in an inversion of legitimacy whereby international sympathies and support have accrued to the PA-PLO while Israel's state legitimacy has been denounced, defamed, and Israel itself denied equal treatment in the United Nations and other international organizations.

Introduction

The Oslo Accords' Unintended Consequences

Dr. Yechiel M. Leiter

- Since the signing of the Oslo Accords in September 1993, consecutive Israeli governments have enacted a policy of tolerance and restraint with regard to egregious Palestinian Authority violations of those agreements. Despite sustained delegitimization and demonization of Israel, the use of antisemitic tropes and annihilationist language, and the financial payments to Palestinian terrorists and their families, Israel has not exacted a price for this enduring malevolent behavior.
- Motivated by the interest of maintaining stability and preventing the collapse of the Palestinian Authority, Israel has chosen to overlook what would in any other situation be understood as the culpable actions of an enemy entity. This has resulted in grievous unintended consequences that are destroying Israel's legitimacy in the international arena, growing antisemitism, and depriving Palestinians of civil society.
- While Israel's new government has taken steps to penalize members of the Palestinian Authority, the actions have been timidly insufficient and incorrectly justified.
- What is needed is an immediate and thorough change of political course, one that will hold the Palestinian Authority accountable to a basic standard of ethics, indeed to the very commitments they have made.

Shortly after the Oslo Accords were signed, Yasser Arafat made his intentions clear. He said that the agreements were nothing more than a “*Hudabiyah*,” a temporary arrangement intended to effectuate Israel’s ultimate demise. The Arabic term refers to a ten-year truce that the prophet Muhammed signed with the Quraysh tribe who controlled Mecca, which, when it became militarily opportune, he breached soon afterward. What the Quraysh were to Mecca, the Jews are to Palestine. Oslo was made to be breached.

Eight years later, during the second Intifada, the incessant Palestinian terror attacks that killed hundreds and maimed thousands of Israelis, did not persuade Israel’s political leadership to change course. This, despite growing skepticism among the Israeli public that the entire process was seriously flawed.

The architects of the Oslo process held steadfast to the notion that if Arafat and his PLO had not in fact already changed, the peace process would soon leave them no choice but to make their anticipated change manifest. Shimon Peres brushed off Arafat’s repeated comments as mere reflections of his need to adjust to a new reality and to appease his domestic constituency, and Yossi Beilin asserted that they were nothing more than “silly words.” The requirements of governance and the international recognition of their governing body would force the Palestinian leadership to both formally and functionally abandon terrorism in all its manifestations.

But 30 years after the accords were signed and the promises to abandon the legacy of terror made, the Palestinian Authority continues to advocate for terrorism, to support it in Palestinian society, the media, the schools, and an official governmental budget line that actually pays terrorists and their families. The unambiguous and unapologetic policy of the Palestinian Authority is to pay for the slaying of Israelis. Mahmoud Abbas might not actually be dispatching terror cells to murder people, but he is responsible for the hate indoctrination, incitement, and incentivization that make them do just that, and when they do so, he and his cohorts are not just congratulatory, they pay them. It is an official policy of money for murder.

Assuming the alternative to be worse, Israeli governments, including those who opposed Oslo and warned of the diplomatic ruse from the start, have consistently avoided holding the PA accountable. Assuming

that accountability might include the collapse of the PA, and that its collapse necessarily means the return of the IDF to the task of municipal management of Palestinian Arab population centers, all egregious PA violations of the agreements they signed have been formally criticized but functionally ignored.

Aside from the morally reprehensible position of tolerating broadscale incitement to murder, for many, reason enough to abandon such a laissez-faire attitude toward agreement violations, this has led to several unintended consequences. Each consequence is significant enough to warrant a change of policy, but cumulatively, they leave Israel with no choice but to immediately and effectively move to a consistent and unambiguous policy of conditionality and accountability.

The “Cobra Effect,” “Blowback,” and the Law of Unintended Consequences

The “Law of unintended consequences” is a concept in political, economic, and sociological theory that dates back at least to John Locke



(Left to right) Prime Minister Yitzhak Rabin, PLO Chairman Yasser Arafat, and Foreign Minister Shimon Peres (*Saar Yaacov/GPO*)

in the 17th century. The “law” refers to an outcome or outcomes of a purposeful action that is/are unforeseen or unanticipated. The unintended outcome is often driven by a “perverse incentive,” an incentive that produces results contrary to the intentions of its designers. Perhaps the best example of a perverse incentive is the “cobra effect.”

During the British rule of India, New Delhi was infested with cobras. When British officials offered a bounty on cobra skins in the hope that financial incentives would help enlist the public in the effort to eradicate the snakes, the problem got much worse. The cobra population increased as people began to breed cobras in pursuit of compensation. When the British caught on and terminated the program, the now worthless cobras were set free, creating greater danger to the public than what was originally contended with. German economist, Horst Siebert, dubbed this form of unintended consequence, the “Cobra effect.”

The CIA uses a different term to describe the unintended consequences of their operations; they call it “Blowback.” The covert operation supporting the Afghan Mujahideen dubbed “Operation Cyclone,” was intended to overthrow the communist regime that had taken hold of Afghanistan. It was a cold war strategy to stop the spread of Communism, but it resulted in the destabilization of Afghanistan and the rise of the Taliban and al-Qaeda. These consequences, hardly on the CIA radar screen, were wholly unintended and unforeseen. They were, in CIA jargon, “Blowback.”

Would the CIA have continued with “Operation Cyclone” had they anticipated the blowback? The rise of Al-Qaeda, the attacks of September 11, and the wars and mayhem that have ensued? It is fair to say “no.”

And it is fair to ask the same question and provide the same answer regarding Oslo. Would the designers of the Oslo Accords have proceeded with the legitimization of the PLO and its empowerment through the establishment of the Palestinian Authority if they knew what the consequences would be?

Oslo’s Unintended Consequences

“Nothing has just one consequence,” writes evolutionary epistemologist, Jeremy Sherman. “Consequences fan out in all directions over time.

Life is like playing piano with oven mitts on. You go to hit one key and others get hit in the process.”

The architects of Oslo wore oven mitts and tried to play one key. The consequences have fanned out in all directions, and they are dire. The oven mitts now have to come off. Consecutive governments, intelligence assessments, and defense planners focused on one potential consequence of a policy of PA accountability – the breakup of the PA. In that context, it could be argued whether or not that consequence was something to contend with simply on moral grounds. But in the meantime, several unintended consequences have materialized which are far more serious and threatening than the potential disintegration of the PA. Put another way, the cobras have been released and the blowback is lethal. They appear in the form of hate indoctrination and incitement, “Pay for Slay,” promotion of worldwide antisemitism, delegitimization of Israel, illegal construction in Area C, ignoring the Palestinian commitments under the Oslo agreements, the radicalization of Israeli Arabs, and institutional corruption that harms the Palestinian people.

Continuing down this path will be a mistake, it will serve no one. Israel can and must find a way to take off the mitts as it plays the political piano.

Israeli Policy Has Enabled and Encouraged Palestinian Violations of the Oslo Accords

Brig.-Gen. (res.) Yossi Kuperwasser

Since the signing of the Oslo Accords in 1993, the Palestinian Authority (PA) has waged a campaign against Israel that has repeatedly, systematically, and intentionally violated its commitments under the Accords. The principal reason for the PA's behavior is its fealty to the narrative of the Palestinian struggle, which includes the goal of establishing at the end of the process a Palestinian state in the entire land west of the Jordan River. However, the PA is also well aware that Israel will not agree to a final settlement that enables the Palestinians to keep striving to achieve their objectives.

Another reason this situation continues, however, is that the Palestinians know Israel prefers to avoid a harsh response to their violations, fearing that such a response would undermine the PA's stability and its security cooperation with Israel. Additionally, the Palestinians expect their struggle eventually to bear fruit, even if meanwhile they (and Israel) encounter difficulties and disappointments along with achievements and successes.

Israel's accommodating stance was based for a long time on a combination of willful blindness toward the Palestinians' true intentions and a belief that making economic and diplomatic gestures, while ignoring most of the Palestinians' infractions, would bolster more pragmatic Palestinian elements and curtail the terror and the other violations of the Accords. In addition, Israel believed that its placatory

approach would soften international criticism. In reality, these hopes were disappointed, and it turned out that their chances of materializing were poor and perhaps nonexistent.

In recent years, most Israelis have overcome their blindness toward the Palestinians' true aims and realized that the PA is not a partner for peace who will work to ensure Israel's security and survival. Moreover, partly for that reason, the international community and the Arab world increasingly understand that the chances of reaching a settlement that will stabilize Israeli-Palestinian relations are fading and, indeed, close to zero in the foreseeable future. The political implications of such understandings for Israel's domestic politics, its links with Arab states, and the Western approach to the conflict are far-reaching: They have seriously weakened Israelis who believed that satisfying Palestinian demands, as they interpreted them, would promote a settlement; the international community, for its part, is not making further attempts to advance such a settlement. Instead, the emphasis is on improving the Palestinians' quality of life and preserving the possibility of implementing the two-state solution (for two peoples?) sometime in the future.

Even so, many in the Israeli political echelon, particularly in the defense establishment, prefer to stick with the accommodating policy toward the PA and ignore its violations of the Accords. In addition to the reasons already noted, this mindset is fueled by an unwarranted concern about preventing the emergence of a one-state reality.

The new Israeli government is trying to convey the message that it will no longer accept the Palestinian violations and will respond decisively to them. For instance, the security cabinet, in reaction to the Palestinians' petitions to the International Court of Justice, decided to

- confiscate NIS 139 million of the PA's funds (which had been withheld as payment of fines levied on the PA in Israeli court for its responsibility for terror attacks during the Second Intifada);
- apply a 2018 law, which deducts the sum of money the PA pays to terrorists and their families from tax revenues Israel collects for the PA, already at the beginning of the year – and without compensation in the form of a bridging loan, which governments had been

providing since the law took effect in 2019, thereby emptying it of its content;

- prevent unauthorized Palestinian building in Area C and deny entry permits to senior PA officials involved in the Palestinians' petition to the court.
- In addition, the defense minister denied such permits to PA officials who visited the freed Israeli Arab terrorist Karim Younis in his home.
- Furthermore, against the backdrop of dismantling the illegal Jewish outpost of Ohr Chaim in Samaria, the government also undertook to dismantle new, illegal Palestinian buildings.
- It then decided to legalize nine Israeli settlements that had been built without authorization and to approve the construction of another 7,000 housing units in existing settlements in Judea and Samaria.



(Left to right) Prime Minister Yitzhak Rabin, U.S. President Bill Clinton, and PLO Chairman Yasser Arafat. (Avi Ohayon/GPO)

These are indeed stricter measures than previous governments had taken for a decade. Still, there were precedents for them, some of which showed greater resolve. (These included a total freeze on transferring funds to the PA because of its appeals to international bodies during the preceding decade; the abovementioned 2018 law to offset the Palestinians' "pay for slay" policy; and the extension of Israel's security activity to PA territory since the Second Intifada). But eventually, even though the PA has not ceased its problematic behavior and has continued to breach the Accords, Israel retracted its measures, preferring the containment policy of shoring up the PA for fear of its collapse.

It is too soon to judge whether the present measures indicate a more substantial change. The decision to deduct the payments the court had ordered to be made to the Palestinian terror victims from the funds already withheld and not from those to be transferred to the PA is an alarming portent of things to come. From the PA's standpoint, the measure does not create any new economic pressure since the payments were taken from funds it would not have received in any case. Hence, with good reason, this measure can indicate that Israel still seeks to avoid causing too much damage to the PA. In addition, the February 2023 security summit with the PA in Aqaba, with expectations that the PA would bolster its security forces, appears to be a further indication that the Israeli government still has not shaken off the logic of strengthening the PA, or at least preserving it, as a central plank of its policy.

In this way, Israel also managed to temper the international and Arab criticism of its punitive measures. The other steps are easily reversible or hard to monitor. If Israel sticks with them over time and does not compensate the PA for deducting the funds, it will mean it intends to adopt a different policy to convince the PA that it, too, must change its policy. The PA must realize that its current policy of a multifaceted struggle stands no chance of advancing the Palestinian objectives but will incur considerable costs. The hope is that such a change of Palestinian policy could eventually lead to a change in their goals, narrative, and vision, leading to peaceful relations between Israel and a Palestinian entity. Until such time, Israel will have to retain full security control of the land from which the Palestinians operate against Israel. This is especially the case as the PA prepares for 87-year-old Mahmoud Abbas' inevitable departure from the political stage.

The Palestinian Violations

The Palestinian Authority has violated the stipulations of the Oslo Accords from the moment they were signed. The violations concern the core principles of the Accords and occur in various spheres.

Encouragement of Terror and Involvement in It

Not only does the PA do very little to fight Palestinian terror, as the Accords obligate it to do, but it is derelict in other responsibilities. For example, the PA does not arrest terrorists or systematically prevent attacks, put terrorists on trial, or incarcerate them, nor, when attacks are thwarted, complete the effort with investigations, interrogations, and weapons seizures.

The PA supports terror in many ways. At the top of the list are its huge salaries to terrorists imprisoned in Israel and its monthly grants to the families of terrorists killed due to their activities. The PA devotes about seven percent of its budget to payments to prisoners (about NIS 600 million per year) and families of terrorists killed or wounded



A Palestinian terrorist operative (left) was killed in a clash with the IDF in Jenin on January 26, 2023. Unfortunately, a Palestinian Authority policeman was killed in Jenin on the same day. The terrorist and the policeman were the same man, Az-Adin Salahat.

(about NIS 700 million per year). The longer terrorists are imprisoned (based on the severity of the loss of life or limb in the attacks), the more significant their payments. The payments are made regardless of organizational affiliation. They are paid to terrorists who are Jerusalem residents and to those who are Israeli Arabs as recompense for every kind of attack, including those the PA had reservations about or even condemned at the time (for example, the 2011 murderous attack on the Fogel family in the Itamar community, in which two parents and three children were murdered in their beds).

The payments to the incarcerated terrorists are paid according to a PA law that calls them the “fighting sector of Palestinian society.” PA chief Mahmoud Abbas repeatedly declares that he assigns these payments the highest priority. Such payments to terrorists, guaranteed in advance, are undoubtedly an incentive to terror, and they make the PA an active partner in the attacks perpetrated by the terrorists who receive these payments. Moreover, many of the terrorists hail from the ranks of official Palestinian security forces or from the Fatah organization, which forms the basis of the PA. For prisoners from among the security services, the period of incarceration in Israel contributes to their seniority, and all the prisoners are promised a very generous grant upon their release and a job in the PA, with the length of imprisonment figured into seniority and the post they receive.

Incitement to Hate, Violence, and Terror

Palestinian messages that deny Israel’s right to exist (delegitimization), show Israelis as loathsome creatures (demonization), or justify and encourage a violent struggle against them, including using terror, are widespread in PA curricula, Palestinian media, statements by senior PA officials, and in Palestinian culture generally, with the endorsement of the PA.

Such messages include, among other things, glorifying terrorists and attributing noxious traits to Jews and particularly to Zionists while accusing them of crimes against humanity. Instead of honoring its commitment under the Oslo Accords to eschew incitement and promote a culture of peace and dialogue between the peoples, the PA, led by

Abbas, takes a blatantly anti-Semitic line. The emphasis in recent years is on portraying Israel as a cruel apartheid state and undermining the Zionist narrative by transforming it into the distorted and historically fallacious Palestinian narrative.

Support for a Boycott and Sanctions against Israel, While Denying Its Identity as a Jewish State

In this endeavor, the PA cooperates, among others, with the BDS movement, which seeks to end Israel's existence and replace it with a Palestinian state in the entire Land of Israel.

Unilateral activity to promote the Palestinian narrative among the international community – The PA engages in this effort while ignoring the PLO's pledge, as part of the Oslo Accords, that the PA would eschew unilateral activity and international activity in general.

One of the high points in this campaign was the PA's decision to declare itself a state and its success in promoting a UN General Assembly resolution that recognized it as an observer state. Based on that resolution, the PA joined numerous international organizations, such as UNESCO, and was able to push through anti-Israeli resolutions in all of them. However, not only is this unilateral activity a violation of the accords, but the accords say nothing about the establishment of a Palestinian state as an outcome of the final-status talks, in which the two sides are supposed to reach an agreement through discussion.

Building in Area C without Israeli Authorization – This is being done even though the accords state clearly that Israel alone can authorize building in Area C. In this endeavor, the PA cooperates with the United Nations, the European Union, and many European countries. It totally ignores the fact that the Accords defined Area C as "disputed territories," not as Palestinian territory.

Including Hamas in elections to the PA institutions, even though Hamas does not meet the necessary conditions – most of all, accepting the accords themselves.

Corruption and Neglect of the Palestinian Residents' Needs

Those needs are subordinated to the anti-Israeli struggle and the personal interests of the top PA officials.

Recently the PA also *unilaterally halted the security coordination with Israel* – a measure it had already taken in the past.

In addition, *the PA is working to persuade Israeli Arabs* to act in its interests and adopt the narrative of the Palestinian struggle against Israel. As part of this effort, the PA pays salaries and stipends to Israeli Arab terrorists and their families, expresses support and glorification of these terrorists, and works to prevent normalized relations between Israel and Arab countries.

The Palestinian Narrative

The Palestinian narrative, which the PA inculcates among the Palestinians and disseminates to the international community, comprises seven tenets, most counterfactual and some anti-Semitic.

First, there are no Jewish People; therefore, Jews have no right to a state of their own.

Second, throughout history, Palestinians allege, there has never been Jewish sovereignty in the Land of Israel – unlike the Palestinian people, with its ancient and historical roots in the soil of Palestine. Therefore, a solution for the Jewish problem should not be situated in this land, especially since the Ashkenazi Jews are not descendants of the Jews who lived in the Land of Israel in the past but of the Kuzaris, according to this myth.

Third, the Jews, in general, and the Zionists, in particular, are intolerable creatures, which is why the Europeans tried to get rid of them. This is clearly and undeniably reflected in the cruelty and arrogance of the Zionist policy toward the Palestinians, which has comprised “50 Holocausts” and an “apartheid regime.”

Fourth, as those who have suffered the expulsion, the deportations, and all the Israeli measures against them, the Palestinians are the only victims of the Israeli-Palestinian conflict. As long as they have not achieved their goals and overcome the injustice done to them –

for example, through the return of the refugees – they must create worldwide awareness of their suffering. Therefore, the Palestinian media daily and intensively propagates a distorted picture of Israeli cruelty toward the Palestinians in Judea, Samaria, and Gaza, in the prisons and the refugee camps, and even toward the Israeli Arabs. As victims of Israel and the West, the Palestinians have the right to use all means to advance their objectives, including terror, and their critics have no right to criticize them for it.

Familiar aspects of this distortion of history include, for example, minimizing the Holocaust; obscuring the Palestinian support for the Nazis, led by Hajj Amin al-Husseini; spreading falsehoods about the relations between the Zionist movement and the Nazis, as Abbas did in his doctorate; and characterizing Israel's policy toward the Palestinians as a Holocaust no less and perhaps even more horrific than the one the Nazis inflicted on the Jews. The Palestinians believe they must counteract an Israeli plot to portray the Jews' suffering in the Holocaust not only as worse than what the Palestinians experienced but as a case that is relevant to the conflict since it justifies the establishment of a Jewish nation-state in Israel/Palestine. In the Palestinians' view, they must fight this to the bitter end.

Fifth, in light of all these considerations, the Palestinians are committed to a multifaceted struggle against Zionism until it is defeated. Abbas wrote in his book *Zionism – Beginning and End*, "Undoubtedly, the Palestinian struggle in cooperation with anti-Zionist Jewish elements will bring about the defeat of Zionism and enable the Palestinians to live again in tranquility in their land." This struggle can take the form of diplomatic and economic efforts, clinging steadfastly to the land, "civil jihad" to improve the Palestinians' status (as Member of Knesset Mansour Abbas called it), and violent activity. Such activity encompasses – in line with the cost-benefit calculations at any particular time – popular agitation, that is, violence without the use of firearms and explosives, which Abbas has long preferred, but also the frequent use of weapons, as favored by the more extreme organizations such as Hamas and Islamic Jihad. Recently Fatah and unorganized elements have been using weapons as well.

In the PA's eyes, all forms of struggle are legitimate. Despite attempts to persuade him otherwise, Abbas has asserted that he will keep paying

salaries to all the terrorists imprisoned in Israel and all the families of terrorists who died due to their attacks. Furthermore, Abbas has recently come out more explicitly in favor of the possible use of weaponry in the fight against Israel. He has even openly supported the armed struggle. In the background is the growing frustration over the Palestinian issue's marginalization in the regional, international, and Israeli agendas, alongside the PA's growing weakness on the domestic front, which, in Abbas's view, requires it to identify with more extreme Palestinian elements committed to the narrative of the struggle.

Sixth, the Palestinian struggle is national and Islamic, and the two elements are fused. Hence Israel's purported infringement of the sanctities of Islam, with emphasis on the Al-Aqsa compound, is seen as reflecting the dangerous nature of Zionism. Portraying the struggle as representing the national component, that is, the Arab nation to which the Palestinian people belong, has been made much more difficult by the Abraham Accords. The Palestinians, however, refuse to come to terms with the significance of that development.

And seventh – even if, at this stage, given the current inability to reach the final objective of vanquishing Zionism, a settlement must be based on an independent Palestinian state on the 1967 lines whose capital is east Jerusalem, alongside Israeli acceptance of the principle of the right of return – Israel must in no way be accepted as the nation-state of the Jewish people. That would entail renouncing the ultimate objective of liberating all of Palestine as the culmination of the “phased plan.” Hence, for now, the Palestinian objective is the two-state solution – but not two states for two peoples, one of which is the Jewish people (which, as mentioned, does not exist).

Israel's Policy toward the PA

In light of all this, why is it so essential for Israel to strengthen Mahmoud Abbas and the PA he heads? This question is even more acute because Israel is reinforcing a leader and an entity that is not only hostile toward Israel and committed to fighting the Jewish State but is weak domestically. If so, there is no guarantee that Israel's assistance will benefit them. They can probably manage, and perhaps even better,

without Israel's help, which casts them as collaborators with those they define as an enemy. (Indeed, when in 2020, the PA, on its own initiative, stopped accepting the revenue payments from Israel and halted the security coordination, its functioning was not harmed at all.)

The answer lies in Israel's, and particularly its defense establishment's, adherence to the status quo. Even if no one loves it, and indeed no one planned it, it is the reality produced by the actions of both sides in the Israeli-Palestinian conflict and also of international actors, namely, the Arabs and Iran. It is doubtful whether anyone has enough incentive to bear the costs of trying to change it, even if the Palestinians and some in the new Israeli government proclaim their desire.

Indeed, it is not even truly a status quo since reality keeps changing, and certain likely developments in the foreseeable future will probably accelerate the pace of change. One is the formation of an Israeli government with a distinct ideological line that has no precedent in Israel and differs entirely from former governments with their deep commitment to maintaining the status quo. The second is the contest over control of the PA, amid expectations that Abbas will soon exit the stage. The third is the growing pressure on Hamas, which is restrained and deterred at present, to demonstrate its commitment to its jihadist identity not just in words and rallies but also in deeds and not just in attempts to carry out terror attacks in Judea and Samaria. The fourth is the growing Palestinian unrest, fueling the spike in terror attacks.

In recent years, reflecting fears of an escalation, the Israeli government's approach has combined fighting terror, deterring Hamas, buttressing the PA, and improving the Palestinians' quality of life. Those governments were willing to live with the diplomatic pressure the PA mustered against Israel while seeking to strengthen and expand the Abraham Accords. At present, it is quite clear that the logic behind this approach has not proved itself, but rather the opposite.

Over the years, Israel invoked several reasons and pretexts for the policy of strengthening the PA. These were said to reflect realpolitik and the choice of the lesser evil. But, the defense establishment is sorely mistaken in justifying its advocacy of aid to Abbas because he opposes terror. As we have seen, Abbas does not fight Palestinian terror but, instead, sees it as a legitimate part of the multifaceted struggle to achieve liberation and Palestinian national objectives. At the forefront of those

is a Palestinian state in the '67 territories, whose capital is Jerusalem, without recognizing Israel as a Jewish state. At present, Abbas regards certain kinds of terror, primarily involving firearms and explosives, as more costly than beneficial to the Palestinian struggle and hence prefers to eschew them at this stage. But the cost-benefit calculation could change, as Abbas has explained in some recent statements. When that happens, he will probably revert to backing that kind of terror. As noted, many of his associates and representatives of the organizations he heads are already expressing support for the shooting attacks in Judea and Samaria, not a few of which are perpetrated by Fatah members.

Second, Israel acts based on an assumption (also groundless) that absent Israeli support, the PA could collapse at any moment and that the alternative to the present situation would likely be worse. Yet, while the PA indeed needs help asserting its authority in the security sphere in some of the territories it holds, it is not in danger of collapse and continues to function in the civilian spheres. Once Abbas leaves the scene, chaos could erupt, necessitating a temporary Israeli takeover of the PA lands. However, it needs to be clarified to what extent Israeli efforts to boost Abbas can avert such a scenario with its various ramifications. Those include succession battles within Fatah, a fragmentation of the PA into the regions that now compose it, and an attempt by Hamas to exploit the situation. At the moment of truth, there is no guarantee of an orderly transition or, eventually, of continued control by Abbas's putative successors – the secretary of the PLO Executive Committee, Hussein al-Sheikh, and the commander of the security mechanisms, Majid Freij.

In line with the current conception, however, Israel sees the PA as a convenient tool that exempts it from closely administering the lives of the Palestinian population of Judea and Samaria, which is perceived as a heavy and undesirable civil, economic, and security burden. From the defense establishment's standpoint, the PA is essentially an effective arm of the Civil Administration, providing education, health, and the rest of the governmental and economic services for the Palestinian population. The better it can fulfill that role, the better it will serve Israel's ends.

Third, the coordination with the PA's security mechanisms is perceived as contributing to Israel's security. The defense establishment usually exaggerates the value of this coordination, since the PA acts only against the terror operatives that challenge it and Fatah. It does not act

against all the terror operatives in its territory, and it even encourages them, as noted, by paying high salaries to terrorists imprisoned in Israel and portraying terrorists as exemplary, praiseworthy figures. At any rate, the security coordination ensures that the PA forces do not interfere with Israel's counterterror activity and arrests within the PA. Most members of the forces and a portion of the Fatah members do not actively take part in the fight against Israel. They also rescue and return Israelis who stray into dangerous situations in PA territory and operate against elements threatening the PA itself, thereby restraining Hamas.

Fourth, Israel's working assumption is that improving the Palestinians' quality of life through the PA dampens their inclination to encourage and perpetrate terror – though that assumption, too, has no solid basis. The Palestinians indeed desire a better quality of life. The terror, however, does not stem from feelings of economic distress but from commitment to the narrative of the struggle against what is described as Israeli colonialism that uses apartheid methods against the native Palestinian population. The PA continues to promote this narrative whether or not Israel aids it, and the unrest among Palestinian young people, which leads to their involvement in terror, continues despite all efforts to improve the population's living standards.

And fifth, the international community, with the United States, Egypt, Jordan, and to a certain extent, the partners to the Abraham Accords at the forefront, expects Israel to pursue this approach and fortify the PA. Such an Israeli policy, in their view, justifies relegating the Palestinian issue to the margins of the international and Arab agenda, keeps Hamas in check, promotes the Palestinians' quality of life, and builds an infrastructure, they believe, for the future implementation of the two-state solution – that is, the establishment of a Palestinian state on the 1967 lines with east Jerusalem as its capital.

To all these, in recent years has been added the illusory notion, blown up out of all proportion, of the threat of a single binational state, which would compel Israel to give up one or the other of the two components of its identity since it would be unable to remain both Jewish and democratic.

The PA will not disintegrate of its own volition. The Palestinians regard it as the most outstanding achievement of their national struggle and as the basic infrastructure for the future Palestinian state, even if

they have much criticism of its rampant corruption and are repelled by its leadership. It is also the largest employer of the Palestinians. Israel, for its part, will never agree to a binational state that would nullify its identity as a Jewish and democratic state. The PA, and the Gaza entity led by Hamas, have long been the political and administrative entities responsible for managing the Palestinians' affairs, apart from aspects that directly affect Israel's security. This reality is not going to change whether or not Abbas is strengthened. Even if, after his departure, the PA collapses amid a Palestinian civil war, almost all the Palestinian factions will share the aim of reestablishing it.

Israel, then, faces a dilemma. The more that the problematic attributes of the PA and its leader become evident, stemming as they do from their hostile and anti-Semitic narrative, the harder it is to justify an ongoing friendly dialogue with the PA and its senior advisers, such as the relationship the previous defense minister, Benny Gantz, maintained, as well as the continued aid to the PA. Nevertheless, the Israeli defense establishment and government are committed to the problematic justifications for sustaining that dialogue and that aid. The main concern is to prevent, or at least defer, a violent outbreak in the near term, and Israeli officialdom believes that bolstering the PA contributes to that goal. One can only hope for a frank discussion between the political echelon, which does not want an escalation but sees the broader picture, and the security services, convinced of the need to focus on short-term considerations.

This mindset was evident in the decisions of the new government's security cabinet, both in response to the Palestinian initiatives in the international arena, particularly the appeal to the International Court (ICJ) of Justice in The Hague, and to the severe terror attacks in Jerusalem on January 27 and 28, 2023, in which seven civilians were murdered – and, in addition, on the question of evacuating the Bedouin shantytown of Khan al-Ahmar on the strategic highway between Jerusalem and Jericho. The cabinet adopted some decisions reflecting a willingness to take a tougher line toward the PA. These included deducting, on the date specified, the total sum of about NIS 600 million that the PA paid to terrorists in 2022, using NIS 139 million of that sum to compensate families of terror victims, whom an Israeli court had ruled the PA was to compensate; greater determination to dismantle illegal

Palestinian buildings in Area C; and denying entry permits to Israel to senior Palestinian officials involved in the turn to the ICJ. Later, permits were denied as well to officials who came to congratulate the freed Israeli Arab murderer Karim Younis and glorify his acts.

As noted above, however, these decisions have a limited significance that does not deviate from previous governments' policies. The continued evasion of the Khan al-Ahmar issue is a clear example. The only real difference is that the new government apparently will not compensate the PA for the deducted funds with a special loan.

Abbas, too, confronts a difficult dilemma. He is not prepared to settle for the role that Israel, in his view, accords him as its chief executive of the civil administration in Judea and Samaria. From his standpoint, the mission of the PA is to advance the Palestinian national objectives in line with the Palestinian narrative, not just to improve the situation in the civil, economic, and security spheres as Israel and even the United States seek. Abbas hopes at this stage to buy quiet and scale down the conflict by improving the Palestinians' quality of life, a task mainly to be delegated to the PA. Hence, Abbas may opt for an escalation, especially if he can pin the blame on the "extremist Israeli government" and thus recruit the international community to his side. His experience, however, has shown him (unlike harshly critical young people who did not experience the Second Intifada) that, while it is easy to incite, it is hard to foresee how a conflict will develop. Despite the temptation, then, he is likely to show caution.

Given the new government's outlook, it would probably like to make a far-reaching change in the status quo. In light of the complex reality, however, it also recognizes the limits of its power and will refrain from applying Israeli law to the disputed Area C. It appears, however, that it will take some measures that have the potential to inflame passions (such as legalizing the outposts of the young settlements and the Israeli presence in the once-evicted Homesh and Evyatar settlements; cracking down on illegal Palestinian building in Area C; providing easy terms for the Israeli settlers that could boost the incentive to live in the territories; and increasing construction in the existing settlements) and will rethink the determination to shore up the PA at any price. In contrast to its predecessor, the new government will likely inform Abbas that there is a price to be paid for hewing to the mendacious and antisemitic narrative

that he pushes and for continuing to support terror – for example, by paying the salaries to the jailed terrorists. The government will continue to fight hard against the terror infrastructure in the PA and respond to radical Palestinian towns under the violent rule of Hamas and the Palestinian Islamic Jihad. The current Israeli government will probably stick with the previous government's policy toward Gaza as long as Hamas keeps reining in terrorism. Still, it may show greater resolve toward Hamas if it does engage in terror. On the sensitive issue of the Temple Mount, Netanyahu will probably avoid a fundamental change in the status quo. However, he may find himself challenged by more extreme elements in his government.

Conclusion

In summary, even if the PA as a framework contributes to the ability to live with the ongoing conflict, manage it, and prepare the ground for a peace settlement, the content that fills the framework is problematic. The Palestinians should be encouraged to change it so they will eventually accept Israel's existence as the democratic nation-state of the Jewish people. The more the Palestinians can be convinced that their chances of achieving their far-reaching aspirations are receding, the more a gradual improvement will be possible.

The Israeli voters' shedding of illusions about the Palestinians led to the formation of a right-wing government determined to counteract the Palestinians' ongoing anti-Israeli activity in the different spheres, particularly regarding terror and land seizures. That development should help clarify this message to the Palestinians. The reduced interest in the Palestinian issue among the international community, which is occupied with other problems, should help as well, and the trump card in this context is supposed to be the effort to add Saudi Arabia to the sphere of normalization.

At the same time, those elements in the Palestinian population that are not promoting the problematic narrative and not involved in terror should be encouraged to use measures that will improve their quality of life and will not compromise, to the extent possible, the ability to

deal with security risks. This would be an alternative to offering such measures as gestures to the PA even as it is committed to that narrative.

Indeed, the votes in the Palestinians' favor in the United Nations, the European support, the mobilization of the American left, and the sympathetic atmosphere in parts of the Arab world, together with domestic and foreign criticism of the Israeli government in the Palestinian context, will be seen by the Palestinians, along with terror attacks, as reasons to keep believing they can achieve their goals and to adhere to the narrative of the struggle. Those factors will also highlight the difficulty of attaining the Israeli objective.

Nevertheless, Israel must keep pursuing that objective and seek to apprise its friends of the problems entailed by continuing the current situation. That is all the more the case as the Mahmoud Abbas era nears its end, and many of the "day after" scenarios will require Israel to address those problems with special urgency.

Palestinian Compliance with the Oslo Accords: A Legal Overview

Amb. Alan Baker

In approaching the thirtieth anniversary of the Oslo Accords and in light of the unique and complex relationship between the Palestinians and Israel, it is appropriate to reflect on some of the central legal issues concerning validity, accountability, and compliance with the Accords. Such issues enable or impede progress toward achieving the basic aims of the Accords – peaceful and fruitful good-neighborly relations between the Palestinians and Israel through a permanent settlement of the status of the territories and resolution of the major issues between them.

Several fundamental legal factors underscore any serious consideration and analysis of the nature of the relationship and are essential for any prognosis as to chances for its future success.

1. Background

The negotiation and signing of the Oslo Accords followed a series of international instruments that called for the negotiation of peace between all the parties in the area, including UN Security Council Resolutions 242 (1967)¹ adopted after the 1967 “Six-Day War” and 338 (1973)² adopted after the 1973 “Yom Kippur War.”

On the strength of these instruments, the various parties negotiated the Camp David Accords (1978)³ as well as the respective peace treaties between Israel and Egypt (1979)⁴, Israel and Jordan (1994),⁵ and the draft

peace treaty between Israel and Lebanon (1983) which, due to Syrian blockage, was never ratified by the Lebanese parliament.⁶

Perhaps the most important and symbolic instrument within the Israeli-Palestinian relationship reflecting the desire and obligations of the parties within the Oslo peace process was the historic exchange of letters between Israel's Prime Minister Rabin and the PLO's Chairman Arafat, dated September 9, 1993.

This exchange, which carries no time limit on its validity, contains mutual declarations of recognition, reciprocal commitments to negotiate peace, and Palestinian declarations that "all outstanding issues relating to the permanent status will be resolved through negotiations" and "the PLO renounces the use of terrorism and other acts of violence."⁷

The Oslo Accords materialized following negotiations in Madrid, Washington D.C., and Oslo between Israel and its neighbors, including the PLO, between 1991-3, covering both bilateral and multilateral tracks that also involved the international community.⁸

The negotiation and signing of the Oslo Accords, in addition to their serious substantive content, signaled a high level of mutual trust, reciprocal respect, and good faith that had developed between the parties through years of intimate negotiation. It also signaled the hope and expectation that such mutual trust and good faith would permeate the future relations between them and their respective populations during the course of the implementation of the Accords.

2. Validity of the Oslo Accords

The Oslo Accords constitute the sole valid source of legal authority for the relationship between Israel and the Palestinians. They are the only authoritative legal source of authority for the very existence of the Palestinian autonomous body established by agreement between the PLO and Israel to implement the Accords in the areas under Palestinian control – the Palestinian Authority (PA).

The Accords also represent the agreed and sole source of authority and legal framework for the functioning of the PA's governing institutions, its presidency, police, security authorities, all ministerial functioning,

powers and responsibilities, as well as regulating its external relationship with the international community.

The documents comprising the Oslo Accords, while not constituting the classical and accepted international agreement between two states, as defined in the 1969 Vienna Convention on the Law of Treaties,⁹ are nevertheless considered a significant international document. Accordingly, they are countersigned and witnessed by the United States, the Russian Federation, the European Union, Egypt, and Norway and subsequently endorsed by the UN in several resolutions.

Signatures as witness and international endorsement of agreements are recognized in international practice as a political commitment by such witnesses not to undermine or encourage violation of the agreements to which they are witness.¹⁰

In this context, it is expected that the international witnesses to the Oslo Accords will indeed act to encourage Palestinian observation



Cairo Agreement signing, May 4, 1994. Israel's Prime Minister Yitzhak Rabin discovered that the PLO's Yasir Arafat failed to sign a map of Jericho in the agreement. Arafat defiantly refused to sign despite urgings by Israeli Foreign Minister Shimon Peres, Egyptian President Hosni Mubarak, and U.S. Secretary of State Warren Christopher. Arafat eventually signed. (Tsvika Israeli/GPO)

of their commitments under the Accords, as well as a return to the negotiating table to complete the negotiation of the permanent status agreement and thereby achieve a negotiated, peaceful resolution of the Israeli-Palestinian dispute.

To this end, they are expected to refrain from undermining and prejudicing the Accords through unilateral and third-party initiatives and actions and from initiatives and attempts to impose a solution that seeks to bypass the agreed-upon negotiations.

3. Legal Status of the Territories

Pending the outcome of negotiations on the permanent status of the territories, the Oslo Accords remain the only valid, agreed, legal source of authority for the division of control, powers, and responsibilities between the Palestinians and Israel over various parts of the territories.

By this division, the parties agreed that the PA would be the administering agency with powers, responsibilities, and jurisdiction over those highly populated Palestinian towns and villages under its control (Areas A and B). The parties also agreed that Israel exercises governing powers, responsibilities, and jurisdiction over the sparsely populated Area C, where Israel's settlements and security installations are located.

No other legal or normative framework, whether through international conventions, declarations, or UN resolutions, has replaced, nor can they replace, the agreed-upon, still-valid legal framework of the Oslo Accords.

As such, the Palestinians have entirely accepted and agreed that pending the outcome of permanent status negotiations, Israel has full authority and jurisdiction over Area C. Accordingly, Palestinian attempts, whether in the UN General Assembly or through the international judicial bodies, to achieve some international acknowledgment that Israel is an "occupying power" and that the legal status of territories is that of "belligerent occupation," are legally flawed and substantively wrong.

Since Israel's presence in the territories was agreed to by the Palestinians in the Oslo Accords, they are stopped from making any claim that the territories are occupied. By the same token, since the permanent status of the territories is an agreed negotiating item between

the parties pursuant to the Accords and pending the outcome of such negotiation, the Palestinians are estopped from claiming that the territories are Palestinian territory.

Such attempts fundamentally and directly contradict the Palestinian obligations and commitments pursuant to the Oslo Accords.

Similarly, all Palestinian attempts to claim before the international judicial bodies that the disputed territories are sovereign Palestinian territory are presumptuous inasmuch as no Palestinian state exists and, hence, no sovereign Palestinian territory.

They undermine the commitments of the Palestinian leadership, including Chairman Arafat, in his letter to Prime Minister Rabin, to resolve all outstanding issues through negotiation.

They also undermine the solemn Palestinian obligation in Final Clause Article XIII (7) of the 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo 2) not to “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.”¹¹

4. Permanent Status Negotiations and Palestinian-claimed Statehood

The Oslo Accords make no mention of the projected outcome of negotiations on permanent status.

Despite somewhat naïve wishful thinking by leading elements and groups in Europe and the U.S. Administration, the Oslo Accords, and all other agreements between the parties, make no mention whatsoever of any “*two-state solution*.” On the contrary, nothing in the Accords precludes an outcome of the negotiations leading to one, two, or three states, a federation, confederation, or condominium.

As such, the Palestinians are estopped from making the claim that they are a sovereign state, and in making this false claim, they come before the international community with unclean hands. That is a prejudging of the outcome of ongoing negotiations.

No such Palestinian state exists, and their attempt to interpret and present a symbolic, political UN upgrade to that of a “non-member observer state” in November 2012, as if it is tantamount to statehood, is

deliberately misleading. The UN General Assembly, whose resolutions are non-binding, recommendatory, and not authoritative, does not have the power to establish or declare statehood.¹²

Unilateral actions by the Palestinian leadership in the UN, in other international organizations, and in international courts and tribunals intended to undermine, frustrate and bypass the Oslo Accords by attempting to dictate an imposed outcome to the negotiations are clearly contrary to the foundations of the Oslo Accords. The parties to the Accords have solemnly committed to continuing *bonafide* negotiations between them “to achieve a just, lasting, and comprehensive peace settlement and historic reconciliation through the agreed political process.”¹³

Indeed, Palestinian actions in the international community violate the very integrity of the Accords as solemn and binding agreements between the parties.

One of the most fundamental principles of international law and practice is the obligation to fulfill international commitments in good faith. This is detailed in Article 26 of the 1969 Vienna Convention on the Law of Treaties, according to which “every treaty in force is binding upon the parties to it and must be performed by them in good faith.”¹⁴

On the issue of fulfilling international obligations, and contrary to Palestinian accusations and worldwide propaganda, Israel has neither acted nor legislated to alter the status of the territories and consistently calls upon the Palestinian leadership to return to the negotiating table.¹⁵

5. Permanent Status Issues

The obligation to negotiate the central issues between the parties is encapsulated in Article V (2) of the abovementioned Oslo 1 Accord, which details such issues as Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest.¹⁶

Israel has consistently called upon the Palestinian leadership to return to the negotiations and has stated that it remains fully committed

to resuming negotiating the permanent status issues as agreed between them.

5.1. Settlements

Since the permanent status issue of settlements is on the negotiating table, the Oslo Accords make no predetermination as to the outcome, nor do they relate in any manner whatsoever to the legality of Israel's settlements.

On the contrary, as agreed between them, the Accords grant each party the power and authority to engage in planning, zoning, and construction in the areas under its respective jurisdiction, whether this be the Palestinian Authority in Areas A and B, or Israel in Area C.¹⁷

Since there exists no prohibition of settlements in the Oslo Accords, and since settlements are an agreed negotiating issue, the continuing Palestinian campaign in the international community to have settlements declared illegal is self-defeating. Moreover, it runs against the spirit and word of the Oslo Accords.



The signing of the Jordan-Israel Peace Treaty, October 26, 1994 (*Tsvika Israeli/GPO*)

5.2. Jerusalem

Since the issue of Jerusalem is also an agreed item on the permanent status negotiating table, the Oslo Accords make no reference whatsoever to the outcome of the negotiations on this issue, nor do they contain any commitment or reference to the historical *status quo* regarding Holy Sites.

In fact, in the Jordan-Israel Peace Treaty dated October 26, 1994, Israel declared it “respects the present special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines.”¹⁸

As such, it is to be assumed that in any genuine negotiation regarding Jerusalem, the parties, including Jordan, would, *inter alia*, devise the appropriate, honorable, respectful, and agreed resolution of the issue of access to the Holy Sites in Jerusalem, including for prayers and visitation at the Sites.

Such a resolution should consider the unique nature of the Holy Sites, the need to honor, respect, and protect sensitivities of the various religious sects, and the overriding obligation to protect and guarantee fundamental internationally acknowledged human rights of access and worship.¹⁹

Claims and declarations by the Palestinian and Jordanian leadership, as well as by leaders in the international community attempting to predetermine the outcome of the negotiation of the Jerusalem issue, and especially regarding the “*status quo*” on the Temple Mount, are clearly incompatible with the terms of the Oslo Accords and with the international commitments of those states and organizations that are signatories to the Accords as witness.

5.3. Borders

The issue of borders is another agreed, permanent status negotiating issue. It cannot be prejudged by incorrect, empty declarations and expressions of “wishful thinking” by Palestinian and international leaders, calling for a “return to the 1967 Borders.”

In fact, no such borders ever existed.

The pre-1967 separation between Israel and the disputed territories was the “Armistice Demarcation Line” established in the 1949 Armistice Agreements between Israel and Egypt, Syria, Lebanon, and Jordan.²⁰

In referring to the legal status of the Armistice Demarcation Line, these agreements clearly stated, at the insistence of the Arab states, that they were not permanent borders.

Both the Egyptian-Israeli agreement, in its Article V, and the Jordanian-Israeli armistice agreement, in its Article VI, stated that the Armistice Demarcation Line is “not to be construed in any sense as a political or territorial boundary, and is delineated without prejudice to rights, claims and positions of either Party to the Armistice as regards ultimate settlement of the Palestine question.”²¹

The call for negotiation of international borders emanates from Security Council resolution 242 (1967), which, in acknowledging that



Commander of Israel's Jerusalem Brigade, Col. Moshe Dayan, right, and Arab Legion Commander Abdullah Bey El-Tel, shake hands after a conference in a monastery in Jerusalem's no-man's land, Aug 22, 1948. Facing camera right, is Lt.-Col. Ahmed Abd Aziz, commander of the Egyptian forces in the southern section of Jerusalem. A few hours after this picture was taken, Col. Aziz was ambushed and killed. (AP Photo/Pringle)

permanent borders had never existed between the parties, called *inter alia* for:

Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.²²

Hence the inclusion of the permanent status negotiation item of borders.

5.4. Violations of the Oslo Accords

In several other respects, issues regarding compliance by the Palestinians with the Oslo Accords appear to rise in several spheres:

The Separate Hamas Regime in the Gaza Strip

The 2007 separation of the Gaza Strip from the main body of the Palestinian Authority and the creation of a separate Hamas regime in Gaza, thereby fragmenting the Palestinian leadership, were serious factors substantially altering the situation on the ground, undermining the integrity of the Oslo Accords, and acting to frustrate the possibility of resuming the agreed negotiating process.²³

Legal Proceedings in International Tribunals

The actions of the Palestinian leadership in initiating legal proceedings in the ICC against Israel's leaders and commanders, as well as its appeal to the ICJ for an advisory opinion questioning the legality of Israel's administration in the territories, are utterly inconsistent with the commitments in the Oslo Accords as well as in the 1993 Arafat-Rabin correspondence to continued dialogue and negotiation pursuant to the

accords, and the Arafat-Rabin commitment to settle all outstanding issues by negotiation.²⁴

Continuing Terror and Incitement

The continued advocating of terror, financing terrorists, and incitement to violence are incompatible with the spirit and words of the Oslo Accords and specifically with Palestinian commitments to prevent terror and punish violators.

These commitments were agreed upon in Article XV of the 1995 Israeli-Palestinian Interim Agreement (Oslo 2), entitled “Prevention of Hostile Acts,” according to which:

Both sides shall take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against each other, against individuals falling under the other’s authority and against their property, and shall take legal measures against offenders.

Incitement also violates Article XXII of that agreement, entitled “Relations between Israel and the Council,” according to which the parties undertook to “foster mutual understanding and tolerance and abstain from incitement, including hostile propaganda,” and to “take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction.”

They also undertook to ensure that their respective educational systems would “contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region, and will refrain from the introduction of any motifs that could adversely affect the process of reconciliation.”²⁵

Detailed implementation provisions are included in Annex I to the Interim Agreement (Protocol on Security Arrangements), Article II entitled “Security Policy for the Prevention of Terrorism and Violence,” in which the Palestinian side committed itself:

to act systematically against all expressions of violence and terror; to issue permits possession and carrying of arms by civilians; to confiscate

illegal possession of arms, to arrest and prosecute individuals suspected of acts of violence and terror; to ensure immediate, efficient and effective handling of any incident involving a threat or act of terrorism, violence or incitement, whether committed by Palestinians or Israelis; to cooperate in the exchange of information and coordinate policies and activities; to immediately and effectively respond to and prevent the occurrence or anticipated occurrence of an act of terrorism, violence or incitement; to actively prevent incitement to violence; to apprehend, investigate and prosecute perpetrators and all other persons directly or indirectly involved in acts of terrorism, violence and incitement; and to prevent and deal with any attempt to cause damage or harm to infrastructure serving the other side, including, inter alia, roads, water, electricity, telecommunications and sewage infrastructure.²⁶

Obligation to Prevent Incitement

In Article XXII of the 1995 Interim Agreement, the parties are committed to “seek to foster mutual understanding and tolerance and shall accordingly abstain from incitement, including hostile propaganda, against each other and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction.”²⁷

On the specific issue of preventing incitement, in addition to agreeing to participate in a U.S.-Palestinian-Israeli committee to monitor cases of incitement (which committee never materialized), the Palestinian leadership committed, in the Wye River Memorandum of October 23, 1998, to “issue a decree prohibiting all forms of incitement to violence or terror, and establish mechanisms for acting systematically against all expressions or threats of violence or terror.”²⁸

Continued support and sponsoring of the BDS Campaign against Israel

Similarly, in Annex V to the Agreement entitled “Protocol on Economic Relations” reproduced from the earlier Gaza-Jericho Agreement (1994), the parties declared:

The two parties view the economic domain as one of the cornerstones in their mutual relations with a view to enhance their interest in the achievement of a just, lasting, and comprehensive peace. Both parties shall cooperate in this field in order to establish a sound economic base for these relations, which will be governed in various economic spheres by the principles of mutual respect of each other's economic interests, reciprocity, equity, and fairness.²⁹

Clearly, the ongoing and active Palestinian sponsorship, support, and encouragement of the Boycott, Divestment, and Sanctions (BDS) campaign, as well as the support and passive encouragement given to that campaign by European and other states and organizations, openly and blatantly undermine Palestinian obligations under the Oslo Accords as well as those commitments by states that are signatories as witnesses to the Accords.

Conduct of Foreign Affairs

According to Article IX of the 1995 Interim Agreement, actions by the Palestinians in establishing diplomatic missions abroad and other acts of international diplomacy, and accession to hundreds of international conventions constitute fundamental violations of the limitations in the Accords on the conduct of foreign affairs.

In accordance with the agreement, and subject to its functioning for the specific benefit of the Palestinian Authority, it:

will not have powers and responsibilities in the sphere of foreign relations, which sphere includes the establishment abroad of embassies, consulates or other types of foreign missions and posts or permitting their establishment in the West Bank or the Gaza Strip, the appointment of or admission of diplomatic and consular staff, and the exercise of diplomatic functions.³⁰

6. Conclusion and Recommendations

The question of whether it is possible to resume negotiations and reach a permanent status agreement remains a distant and unlikely hope.

Palestinian fundamental violations of the Oslo Accords, their ongoing actions in the international community to obstruct the operation of the Accords, as well as their undermining and prejudicing the integrity of the Accords, place before Israel several internationally recognized legal options rooted in customary international treaty practice, to deal with fundamental violations, and frustration of treaties.

However, despite such options, Israel has repeatedly called upon the Palestinian leadership to unite and resume *bonafide* negotiations.

In considering possible actions to bring about such a return to negotiations, serious efforts should be expended by the government of Israel and by the United States:

- to urge the international witnesses to the Accords, rather than turning a blind eye and passively encouraging the Palestinians to violate the Accords, to take a more active and involved function in encouraging the Palestinian leadership to fulfill their commitments.
- to urge the international witnesses not to initiate, sponsor, or support actions, including resolutions and declarations in international organizations that serve to undermine the Accords.
- In the same context, the witnesses, most of whom are parties to the Rome Statute of the International Criminal Court, should be urged to actively dissuade the Palestinian leadership from its preoccupation with referring vexatious, politically-generated complaints to the International Criminal Court, thereby harming and politicizing that court.
- The international witnesses should be urged to encourage the Palestinian leadership, rather than complaining to international bodies and initiating political resolutions in international bodies, to better act within the existing dispute-resolution mechanisms agreed to in the Accords.

- Within the Accords, Israel has at its disposal discretionary rights *inter alia* to withhold VIP privileges, limit rights of passage, and withhold monies.

Such discretionary rights should be used as leverage and *quid-pro-quo* in order to bring the Palestinian leadership back into a mode of active cooperation and implementation of its obligations.

It remains to be seen if a responsible and unified Palestinian leadership will materialize and be capable or willing to take up this call before it is too late.

It also remains to be seen if the members of the international community, international organizations, and especially those European and other states that consistently, unjustly, and illogically seek to find fault with Israel, will eventually realize that to advance the peace negotiation process, they must cease supporting and encouraging Palestinian violations, demand Palestinian accountability, and call upon the Palestinian leadership to abide by its commitments in the Oslo Accords.

Notes

1. <https://peacemaker.un.org/sites/peacemaker.un.org/files/SCRes242%281967%29.pdf>.
2. <https://peacemaker.un.org/sites/peacemaker.un.org/files/SCR338%281973%29.pdf>.
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8. Madrid conference – <https://www.palestine-studies.org/sites/default/files/attachments/jps-articles/2537235.pdf>. 1993 Declaration of Principles (Oslo 1) – <https://www.gov.il/en/Departments/General/declaration-of-principles-main-points>. 1995

- Interim Agreement (Oslo 2) – https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_950928_InterimAgreementWestBankGazaStrip%28OsloII%29.pdf.
9. https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf.
 10. “Witnessing International Agreements”, US Department of State, <https://2009-2017.state.gov/s/l/treaty/faqs/91236.htm>: “Witnessing an international agreement may reflect the involvement of the state represented by the witness in the negotiation or the promotion of the agreement and its concern that the treaty should be a success.”
 11. Article XXXI (7) of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip Washington, D.C., September 28, 1995 https://ecf.org.il/media_items/624.
 12. UN General Assembly resolution 67/19 of 29 November 2012 <https://www.jewishvirtuallibrary.org/un-general-assembly-resolution-67-19-november-2012>.
 13. Opening declaratory paragraph Declaration of Principles on Interim Self-Government Arrangements, September 13, 1993 (Oslo 1) <https://www.gov.il/en/Departments/General/declaration-of-principles>.
 14. “*pacta sunt servanda*” – Article 26 *Vienna Convention on the Law of Treaties*, see footnote 9 above.
 15. See “Israeli defense minister calls on Palestinians to return to negotiations,” <https://nbatp.karabnews.com/node/1772456/middle-east>.
 16. <https://www.gov.il/en/Departments/General/declaration-of-principles>.
 17. *Ibid* at footnote 7 – the 1995 Interim Agreement, Annex III, Protocol Concerning Civil Affairs, Article 27.
 18. Article IX (2), Jordan-Israel Treaty of Peace <https://www.gov.il/en/Departments/General/israel-jordan-peace-treaty>.
 19. See Alan Baker - <https://jcpa.org/article/the-discriminatory-status-quo-on-jeruselems-temple-mount-an-international-law-viewpoint/> and <https://jcpa.org/article/is-jerusalem-really-negotiable-an-analysis-of-jeruselems-place-in-the-peace-process-2/>.
 20. <https://www.gov.il/en/departments/general/the-armistice-agreements>.
 21. <https://www.gov.il/en/Departments/General/israel-egypt-armistice-agreement> and https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20JO_490403_Hashemite%20Jordan%20Kingdom-Israel%20General%20Armistice%20Agreement.pdf.
 22. *Ibid* at note 1.
 23. <https://www.britannica.com/place/Palestine/Split-administration-of-the-West-Bank-and-the-Gaza-Strip>.
 24. <https://www.jpost.com/opinion/article-722588>.
 25. https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_950928_InterimAgreementWestBankGazaStrip%28OsloII%29.pdf.
 26. https://reliefweb.int/report/israel/israeli-palestinian-interim-agreement-west-bank-and-gaza-strip-oslo-ii?gclid=CjwKCAiA2rOeBhAsEiwA2Pl7Q39yDvTMQXa8J19r83eXzLoSfvrVD7cmDltcVAgbeWpoFCVVKNVofhoCbYEQAvD_BwE.
 27. *Ibid* Article XXII.

28. Wye River Memorandum, 23 October 1998, Article II A(3)(1) https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_981023_The%20Wye%20River%20Memorandum.pdf.
29. <https://www.gov.il/en/Departments/General/gaza-jericho-agreement-annex-4>.
30. Ibid Article IX.

Nazi and Soviet Conspiracy Themes in the Palestinian Discourse: Policy Lessons for Israel

Dan Diker

Since its founding in 1994, the Palestinian Authority, an internationally recognized pre-state authority, has advanced antisemitic themes to fuel its decades-old political warfare campaign to isolate, destabilize, and subvert the State of Israel. The PA's antisemitic discourse, rooted in Nazi and Soviet-era conspiracy theories, has resulted in violence against Israelis and diaspora Jews. Ironically, both Israel and the international community have largely overlooked this flagrant violation of the Oslo Accords between Israel and the PA: to desist from incitement to terror and violence.¹ This essay documents nearly 30 years of Palestinian Authority antisemitic rhetoric in its media, social networks, official government statements, and educational system. This essay will also assess Israel's willful blindness to these violations and offer a prescription and remedy through Israeli policy that will hold the PA to account and reform.

Since its inception in 1964, the Palestine Liberation Organization, the Palestinian Authority's source organization, has perpetuated Nazi and Soviet antisemitic tropes and conspiracy libels that characterize Israelis and Jews as racially inferior, devious, conniving, and imperialistic.² Palestinian Arabs' hatred of Jews has a long history. The first Palestinian Arab political leader, "Grand Mufti" Haj Amin Al-Husseini, was closely aligned with the Nazi regime and even called for the Reichstag to bomb Tel Aviv. He accused the pre-state *yishuv* of desecrating the al-Aqsa

mosque, depicting Jewish worshippers as “evil marauders,” statements that ignited bloody anti-Jewish riots in the 1920s and 1930s.³ The PA lodges the exact charges, claiming “al-Aqsa is in danger” from “settlers storming al-Aqsa”⁴ – to depict peaceful Jewish visitors to the Temple Mount, Judaism’s holiest site.

Husseini’s widely distributed sermons of the 1930s incited and spread Jew-hatred across the broader Middle East.⁵ His speeches on a German-based radio service in Arabic blamed Jews for World War II.⁶ Historian Jeffrey Herf writes, “The fusion of antisemitism with anti-Zionism was the key ideological weapon of the Nazi regime in its efforts to win support from Arabs and Muslims in North Africa and the Middle East.”⁷

The Mufti’s widely distributed “Proclamation to the Muslim World” rallied Muslim opposition to the Zionist project:

Since the earliest days of their history, the Jews have been an oppressed people, and there must be a good reason for that. As far back as the Egyptian pharaohs, energetic oppressive measures had to be taken against the Jews.... The Jews hate Muhammad and Islam.... The battle ... began when Muhammad fled from Mecca to Medina.... The Jews have been the bitterest enemies of Islam and continue to try to destroy it. They know only hypocrisy and guile. Hold together, fight for Islamic thought, *fight for your religion and your existence!* Do not rest until your land is free of the Jews.⁸

Both the Fatah-led PA and its rival Islamist Hamas have perpetuated a tradition of anti-Jewish declarations, blood libel discourse, and calls to *jihād* against Jews based on *dar al-Islam*,⁹ blaming Jews for wars¹⁰ as a justification for killing or harming them.¹¹ Referencing Islamic writings, Islamic clerics and spokespeople such as Raafat Alayan, the Palestinian Authority’s Jerusalem spokesman, consider Jews to be “sons of apes and pigs.”¹² Palestinian officials have invoked accusations reminiscent of the medieval “blood libel” against Jews. Palestinian politician Hanan Ashrawi retweeted a medieval-themed claim that Israelis purposely drowned an Arab boy from Beit Hanina in east Jerusalem, after he slipped into a flooded area.¹³ In 2016, Palestinian Authority Chairman Mahmoud Abbas told a European Commission assembly that Israeli

rabbis told their followers to poison Arab wells, a claim that he retracted after Israeli and international condemnation.¹⁴ Abbas also falsely claimed that Adolf Hitler facilitated the immigration of Jews to Israel by reaching a deal with the Anglo-Palestine Bank (now Bank Leumi) under which Jews who moved to the British Mandate of Palestine could transfer their assets to the bank, a claim also made in his dissertation.¹⁵

Hamas' antisemitic discourse is showcased in its 1988 charter.¹⁶ Hamas legislator Sheikh Yunus al-Astal claimed, "Suffering by fire is the Jews' destiny in this world and the next..Therefore, we are sure that the Holocaust is still to come upon the Jews."¹⁷ Hamas' *Al-Aqsa* television station airs programs aimed at preschoolers extolling hatred of Jews and praising suicide bombings.¹⁸ Gazans fly Nazi flags at their borders,¹⁹ and in August 2009, Hamas called the Holocaust "a lie invented by the Zionists" and referred to Holocaust education as a "war crime."²⁰ A popular Gaza City clothing shop is named "Hitler 2," displaying a Nazi-themed black and red sign.²¹

Mahmoud Abbas, Chairman of the PLO's "moderate, secular" Fatah faction and head of the internationally recognized pre-state Palestinian



November 1943 Amin al-Husseini greeting Bosnian Waffen-SS volunteers with a Nazi salute. (*Bundesarchiv, Bild 146-1980-036-05 / CC-BY-SA 3.0*)

Authority, is no less extreme in his rhetoric than his Hamas rivals. Abbas' Holocaust denial and Jewish "Nazi" conspiracy theories date back to his 1968 Soviet-sponsored doctoral dissertation, which is still popular today and available online in Arabic. Titled "The Other Side: the Secret Relationship Between Nazism and Zionism," it claimed that the figure of six million Holocaust victims was exaggerated and that Zionist leaders collaborated with the Nazis.²² Abbas has not relented, and, in August 2022, he claimed that the *nakba* – the "catastrophe" of Palestinian Arab displacement during the Israeli War of Independence (1947-1949) – was equivalent to "50 Holocausts" in a speech delivered in Germany in the presence of German Chancellor Olaf Scholz on the fiftieth anniversary of the Palestinian terrorist murders of Israeli athletes at the Munich Olympics in 1972. Like his blood libel diatribe delivered to European leaders in 2016, Abbas was condemned broadly for his "50 Holocausts" comments in 2022.²³

The above examples cannot be attributed to Palestinian frustration over a failed peace process: PA officials spewed antisemitic tropes in the midst of the Oslo peace process in the 1990s.²⁴ PA Chairman Yasser Arafat invoked Islamist antisemitic themes in a May 10, 1994, speech in a Johannesburg mosque, calling for a "*jihad*" to liberate Jerusalem, and suggested that the Oslo accords were a reversible tactical move. Though these words touched off a political firestorm in Israel,²⁵ they were brushed off by Israeli Foreign Minister Shimon Peres.²⁶

In 1999, Arafat's wife, Suha, told U.S. First Lady Hillary Clinton that Israelis intentionally poison the air and water with gas and chemicals to harm Palestinians, leading "to an increase in cancer cases among women and children."²⁷ A year earlier, in 1998, PA officials accused Israel of spreading cancer and disease through contaminated drugs and spoiled food, including milk for Palestinian babies,²⁸ prompting then-Israeli Ambassador to the United Nations, Dr. Dore Gold, to petition UN General Secretary Kofi Annan, over these fraudulent allegations.²⁹ Gold's official denunciation and insistence on UN action to remedy the PA's violation of Oslo's stipulations against incitement, marked a turning point towards a more aggressive Israeli policy against PA antisemitic rhetoric.

A few years later, in August 2001, at an UN-sponsored conference, Soviet anti-Zionism was repackaged and rebooted for the 21st Century.

At the World Conference Against Racism and Xenophobia in Durban, South Africa, PLO Chairman Yasser Arafat condemned “the Israeli occupation and its racist practices and laws, which are based on racism and superiority.”³⁰ This nomenclature was incorporated into the conference’s NGO Declaration: “We declare Israel as a racist, apartheid state in which Israel’s brand of apartheid as a crime against humanity has been characterized by separation and segregation, dispossession, restricted land access, denationalization, ‘bantustanization,’ and inhumane acts.”³¹

Political analyst Izabella Tabarovsky assessed:

In Durban, self-described anti-racists – including international NGOs Human Rights Watch and Amnesty International – stood by as Jewish participants were harassed and prevented from speaking. Booths displayed posters picturing Jews with hooked noses and bloodied hands and ones equating Zionism with Nazism. The *Protocols of the Elders of Zion* were distributed, along with flyers bearing Hitler’s photo, captioned “What if I had won?” The security situation deteriorated, threatening Jewish attendees’ physical safety. What began with a demonization of Israel quickly turned into a demonization of “Jews of the entire world,” who were portrayed as “accomplices of this evil regime.” By the end of the conference, demonization became personal, as human rights activists “could no longer show their Jewish colleagues respect”: their very Jewishness “shamed the antiracist cause.”³²

Durban’s “Nazification” of Israel on an international stage, under UN sanction, seven years after the internationally-witnessed Oslo peace process had begun, represented a wholesale globally legitimized uprooting of Israel’s legality and validity as a UN member. Israel’s response to the 2001 Durban conference was ineffective. It failed to mobilize the international community against the PA’s flagrant violation of Oslo.

Durban’s blow to Israel’s legitimacy was a direct continuation of the PLO’s subversion of Israel in its Soviet-drafted and sponsored UNGA resolution 3379 of November 1975, known as the “Zionism is Racism” resolution. U.S. Ambassador to the UN Patrick Moynihan said of UNGA 3379, which remained on the books until 1991, “the abomination of

antisemitism has been given the appearance of international sanction.”³³ The United States, under George H.W. Bush, led the campaign that resulted in the shelving of 1975’s Soviet-sponsored 3379, with the fall of the Soviet Union. In 2001, it was American Congressman Tom Lantos, a Holocaust survivor, and not Israel, who led the walkout from the Durban Human rights debacle in 2001.³⁴

Israel’s only official response, several days after the conference, was given by Deputy Foreign Minister Rabbi Michael Melchior, who wrote:

It might have been hoped that this first Conference of the 21st Century would have taken up the challenge of, if not eradicating racism, at least disarming it: But instead, humanity is being sacrificed to a political agenda...Can there be a greater irony than the fact that a conference convened to combat the scourge of racism should give rise to the most racist declaration in a major international organization since the Second World War?³⁵

The “Durban strategy” has been felt throughout the new century, as documented by Professor Gerald Steinberg.³⁶ After Durban, defensive moves by the IDF against terrorist activities and PLO militias have been deemed “war crimes” and “genocide” by the organizations that attended the Durban conference’s NGO forum. The Durban strategy has driven an intensifying campaign of adverse NGO reports by Human Rights Watch, B’Tselem, and Amnesty International that have labeled Israel an “apartheid state” – a taboo until Durban’s 2001 declaration.³⁷

Durban gave rise to the global Boycott Divestment and Sanctions (BDS) movement against Israel that took root with particular intensity in the West’s progressive agenda and activities.³⁸ BDS mimics the Nazi boycott of Jewish businesses,³⁹ as noted in 2019 by the German Bundestag.⁴⁰ More insidious, BDS officially preaches non-violent forms of protest, while its founders have clearly stated that they oppose Jewish self-determination in any form.⁴¹

BDS’s masking of its “political” intentions toward the Jewish and democratic state has appropriated the Nazi regime’s genocide of the Jewish people with a more politically correct, camouflaged call to “Free Palestine, from the (Jordan) River to the (Mediterranean) Sea.” BDS couches its end goal in more publicly palatable social justice themes,

sidestepping a discussion of the consequences of dismantling the Jewish State, which would likely entail not only the mass displacement of Jews but would result in their physical destruction.⁴² BDS' campus arm, Students for Justice in Palestine, harasses Jewish students, regardless of their affinity for Israel or lack thereof, while BDS-supporting academics demand denunciations of Israel.⁴³

The Durban-BDS strategy has managed to call into question the validity of a Jewish state by convincing the West that Israel is a racist, colonialist “apartheid” project that represents the antithesis of a liberal democracy anchored by a commitment to human rights. Palestinian activists pushing identity politics, backed and directed by the PA in Ramallah,⁴⁴ have shoe-horned their struggle into the popular Western social justice discourse by “racializing” the Palestinian-Israeli conflict. In this postmodern “woke” political reality, Palestinians are depicted as racially marginalized victims, the “brown” “indigenous” people of the Levant, while Israelis have been cast as “white settler-colonialists.” This narrative, depicting Jews as racist oppressors and colonialist aliens to their indigenous homeland negating Jewish identity and self-determination, is a form of collective Jew-hatred.⁴⁵



A Swastika kite flown in Gaza

In the 30 years since the signing of Oslo I, Nazi-style classic antisemitic tropes, “woke” Soviet-inspired anti-“colonialist” conspiracies, and old-fashioned blood libels have provided the PA a strategic narrative directed at Palestinian, Arab, Muslim, and progressive international audiences.

Twenty years after Gold’s petition to the UN in 1998, Abbas claimed, at the 2018 Palestinian National Conference in Ramallah, that the Holocaust was not the result of antisemitism but rather of the Jews’ “social behavior, [charging] interest, and financial matters,” as his predecessor Mufti Husseini did decades before him.⁴⁶

Until recently, the phenomenon has been willfully ignored by Israel in service of its security cooperation with the PA, which Israeli government officials feared would collapse under Israeli and international condemnation and economic punishment.

Yet, the Israel-PA security relationship has only deteriorated due to the pervasive influence of the anti-Jewish anti-Israeli Palestinian narrative. Jew-hatred is mainstreamed in PA school textbooks and pushed by teachers of UNRWA (the UN’s Refugee and Works Agency).⁴⁷ Terror incitement is also justified with claims that Israel was implanted by an imperialist, “European, colonial, anti-Arab conspiracy with the goal of dividing the Arab world.”⁴⁸ Even in preschool, as documented in a viral 2023 TikTok video, Palestinian toddlers act out as PLO militants fighting against the IDF.⁴⁹ The end result is an educational system and culture that glorify violence, dominating the news feed: teenage militants perpetrate attacks, while media sources depict them as innocent victims of IDF aggression.⁵⁰

Will the Palestinian Authority Pay the Price for Antisemitism and Incitement to Murder?

Only in recent years did the Israeli government begin to take the PA’s impact on global antisemitism, terrorism, and the ideological delegitimization of Israel seriously.⁵¹ In 2016, Israeli Prime Minister Binyamin Netanyahu approved an unprecedented 142-million-shekel budget for the Strategic Affairs Ministry, mandated to combat

delegitimization and antisemitism, under Minister Gilad Erdan, who would become Israel's UN ambassador.⁵²

The Israeli government began to act against BDS in 2017, imposing a travel ban on BDS activists.⁵³ In 2018, the Ministry for Strategic Affairs published a report titled *Terrorists in Suits*, documenting the political warfare activities of terrorists masquerading as civil society activists.⁵⁴ At the UN General Assembly, Israeli representatives showed a new awareness of the effects of delegitimization. In April 2019, Israel's UN ambassador Danny Danon dealt with delegitimization at its root, holding up a copy of the Bible, saying, "God gave the land to the people of Israel in Genesis, when he made a covenant with Abraham...This is our deed to our land."⁵⁵ Reflecting the new approach, Erdan, Israel's current UN envoy, said, "The best defense is a good diplomatic offense."⁵⁶

The Israeli government also reacted harshly to Abbas' "50 Holocausts" speech in Germany in 2022,⁵⁷ as opposed to previous years in which Israeli leaders turned a blind eye to PA Holocaust denial and revision.⁵⁸ Prime Minister Yair Lapid, Israeli Knesset members, ministers, and leaders such as Naftali Bennett, Benny Gantz, Avigdor Lieberman, Gideon Sar, and Dani Dayan condemned the statement.⁵⁹ The Bennett-Lapid government also took a hard line on Palestinian vandalism of Jewish holy sites after Joseph's Tomb in Nablus was desecrated in April 2022.⁶⁰ Lapid also commissioned a popular Israeli Hollywood actress Noa Tishby, as state envoy to combat antisemitism.⁶¹

The issues of Palestinian curriculum, textbooks, anti-Israel UNRWA teachers, and social media influence are more complex and difficult to counter.⁶² However, the Israeli government closed six east Jerusalem schools after they refused to comply with curriculum corrections of antisemitic references in schoolbooks since the Israeli Education Ministry pays teachers' salaries there. The east Jerusalem counter-reaction posed its own challenge, when 150 Palestinian schools went on strike to protest the closure in September 2022.⁶³

The EU has exhibited increased impatience with the PA's malign behavior. The EU has frozen funds to Palestinian Authority schools due to mass incitement and antisemitic content, while the American government has demanded to review PA and Gaza curricula.⁶⁴ Recently, Minister of Diaspora Affairs Amichai Chikli called on the European Union to stop funding PA textbooks.⁶⁵

Israeli pushback on PA violations poses the risk of a political and public relations boomerang, as was the case in the east Jerusalem school strike, as noted above. The PA has also threatened its own collapse as a response to sanctions. In January 2023, PA Prime Minister Mohammad Shtayyeh warned that Israeli sanctions imposed on the PA in response to its International Court of Justice suit against Israel would cause its implosion, appealing to the U.S. and Arab states in an interview in Israel's left-leaning daily *Ha'aretz*.⁶⁶ Notably, a few years before, Shtayyeh claimed that IDF soldiers purposely infected Palestinians with COVID-19 during the pandemic.⁶⁷

In January 2023, Israel froze the transfer of tax revenues collected on behalf of the PA and channeled them to Israeli victims of Palestinian terrorism. Israel also froze illegal Palestinian building in Area C and vowed to penalize PLO officials and NGOs involved in political warfare against Israel. These steps followed the PA's petition to the International Court of Justice for a legal opinion regarding the West Bank and Gaza, which questioned, 57 years after the 1967 War if Israel's "occupation of Palestinian territory" had become a form of de facto annexation and thus illegal under international law.⁶⁸

Minister of Diaspora Affairs Amichai Chikli condemned the PA as an engine for modern antisemitism in 2022.⁶⁹ In February 2023, the Knesset approved a law stripping convicted terrorists of Israeli citizenship if they received funding from the Palestinian Authority or an associated organization – a PA policy known as "pay for slay."⁷⁰

A unified Israeli-diaspora "no tolerance" approach is critical to counter PA antisemitism. At times, Jewish organizations have erred in platforming the PA narrative in their "efforts at peace." A case in point: in April 2021, J Street featured Abbas as a speaker at its annual conference, where he demanded that the Biden administration rescind the previous U.S. determination declaring the PLO a terror organization.⁷¹ This demand was made on the organization's public stage, while the PA continued its "pay to slay" policy, for which Israel withheld tax revenues from the PA in 2019.⁷² Israelis and diaspora Jewry must work together and refuse to countenance the PA's political warfare in its efforts to pit these groups against one another.

The Israeli government and Jewish organizations must also uniformly invoke the International Holocaust Remembrance Alliance (IHRA)

definition of antisemitism as the standard guide for governments and international bodies in their legal and diplomatic moves against the PA.⁷³ IHRA includes examples of antisemitism that specifically relate to Israel as the Jewish collective, informed by the “Three D” test⁷⁴ established by former Israeli Ambassador to the United States, Ron Dermer, and former Israeli government minister Natan Sharansky. Sharansky has noted that in his native Soviet Union, the term “Zionist” was used as a code word for Jews.⁷⁵

PLO and PA antisemitic rhetoric constitutes a national security threat to Israel and the Jewish people today. Israel has the legal and moral mandate and responsibility to hold the Palestinian Authority accountable for its ongoing antisemitic incitement, rampant at all levels of Palestinian public discourse. Israel should penalize the PA for breaches of Oslo Accords stipulations by withholding funds and referring the PA to international bodies such as the European Commission, UN Human Rights Council, International Court of Justice, and International Criminal Court for violations of the Convention on the Prevention and Punishment of the Crime of Genocide by inciting and encouraging deadly terrorism, which has killed and wounded thousands of Israelis and Jews. Israel must adopt a no-tolerance approach to PA antisemitic discourse that will counterbalance the PA’s constant delegitimization campaign against Israel in the West. Israeli measures will deter PA leaders by creating awareness and deepening financial penalties among donor nations.

Notes

1. “Reaffirming their mutual commitment to act, in accordance with this Agreement, immediately, efficiently and effectively against acts or threats of terrorism, violence or incitement, whether committed by Palestinians or Israelis Please insert where in Oslo Accords prohibition to Incitement to terror is found.” Preamble, Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip Washington, D.C., September 28, 1995. https://ecf.org.il/media_items/624. (Oslo II).
2. On January 30, 1996, Arafat said at a speech in Sweden, “We will not bend or fail until the blood of every last Jew from the youngest child to the oldest elder is spilled to redeem our land!” <https://www.timesofisrael.com/quoting-arafat-palestinian-mission-in-colombia-calls-for-israels-destruction/> PLO co-founder Salah Khalaf (Abu Iyad) regarded Zionism as an ideology exploited by a political elite in which the

memory of the Holocaust was used to create a persecution complex among Jews. Thompson, Elizabeth F. (2013). *Justice Interrupted: The Struggle for Constitutional Government in the Middle East* (Cambridge, Massachusetts: Harvard University Press), p. 260. The PLO's first leader Ahmed Shukeiri claimed that Israel was "Eichmann in a state" and that "the apartheid of South Africa is being practiced in Israel" in an exchange with Golda Meir at the UN on October 17, 1961. See Yitzhak Oron, ed. *Middle East Record*. Volume 2, Tel Aviv University, Reuven Shiloach Research Center, 1961.

3. Jeffrey Herf. *Nazi Propaganda for the Arab World*. Yale, 2010.
4. Ibid. The PA claimed that Israel is attempting to "Judaize" Jerusalem by "destroying" the Al-Aqsa mosque by excavating a Temple era pilgrimage tunnel, located under the Arab village of Silwan, the ancient Jewish site of Kfar Ha-Shiloah. <https://www.washingtonpost.com/world/2023/01/05/temple-mount-al-aqsa-ben-gvir-israel/>; <https://www.jpost.com/breaking-news/article-726484>. See also <https://jcpa.org/article/status-quo-on-temple-mount/>.
5. Following the Peel Commission recommendation of 1937, Husseini purportedly authored an antisemitic tract called "Islam and Jewry," which was distributed throughout the Middle East. Motadel regards it as "one of the most significant examples of...religiously charged anti-Jewish propaganda dispersed among Muslims. Jeffrey Herf deemed it "one of the founding texts of the Islamist tradition, one that defined the religion of Islam as a source of hatred of the Jews." See Herf, *ibid.*, see also David Motadel, "The 'Muslim Question' in Hitler's Balkans." *The Historical Journal*, December 2013, Vol. 56, No. 4, pp. 1007-1039. Cambridge University Press Stable. Boris Havel (2014). "Haj Amin al-Husseini: Herald of Religious Anti-Judaism in the Contemporary Islamic World." writes: "The pamphlet *Islam and Judaism* published in 1943 for an unorthodox Bosnian Muslim community has been used to demonstrate the Mufti's aberration from traditional Islamic views on Jews and the development of an eclectic anti-Judaism that today exists in many parts of the Muslim world."

See also Armin Lange, Kerstin Mayerhofer, Dina Porat, Lawrence H. Schiffman, eds. *Comprehending Antisemitism through the Ages: A Historical Perspective* Volume 3, De Gruyter.

See David Motadel (2014). *Islam and Nazi Germany's War*. Cambridge, Massachusetts, London, England: The Belknap Press of Harvard University Press. p. 1023: Husseini was also a conspiracy theorist who alleged Jewish plans to conquering the Arab world. Edy Cohen, author of *the Mufti and the Jews*, quotes a speech made by Husseini: "Palestine does not satisfy the Jews...because their goal is to rule over the rest of the Arab nations, over Lebanon, Syria, and Iraq, and even over the lands of Khyber in Saudi Arabia, under the pretext that this city was the homeland of the Jewish tribes in the seventh century." <http://www.thetower.org/article/how-the-mufti-of-jerusalem-created-the-permanent-problem-of-palestinian-violence/>.

Mohammad Ali al-Taher, director of the "Palestinian-Arab Bureau of Information" first published "Islam and Jewry" in Egypt. Apparently Al-Taher, a Palestinian journalist living in Cairo, associated with Husseini, helped transfer Nazi funds to the Muslim Brotherhood. Despite the documentary evidence, this has been contested

by the MB. M. Kuntzel, *Nazisunder Nahe Osten:Wiederislamische Antisemitismus entstand* (Leipzig-Berlin: Hentrich & Hentrich,2019) pp.70–71.

6. See Benny Morris. *1948: A History of the First Arab-Israeli War*. Yale University Press: 2008. And Matthias Kuntzel in <https://www.jcpa.org/phas/phas-kuntzel-so5.htm>. American sources said that half of the radio broadcasts' content was of anti-Jewish nature, and attributed the unrest in Palestine in the 1930s to them. By 1946, the British Foreign Office spoke of Arab hatred of Jews "being greater than that of the Nazis." Kuntzel writes that Nazi wartime propaganda had a long-lasting impact on the way the Arabs perceived the Jews.
7. Jeffrey Herf. *Nazi Propaganda for the Arab World*. Yale, 2010. P. 178.
8. Ibid. Herf and Kuntzel both call this declaration a foundational document of Islamism.
9. The principle that all lands previously conquered by Muslim armies are permanently determined Islamic lands.
10. These echoed the classic Russian-authored early 20th Century tract *The Protocols of the Elders of Zion*, which the Muslim Brotherhood printed in Arabic in the 1930s to counter the Zionist movement. On February 20, 2005, the Grand Mufti of Jerusalem Sheikh Ekrima Sa'id Sabri appeared on the Saudi satellite channel Al-Majd, commenting on the assassination of the former Lebanese Prime Minister Rafik Hariri: "Anyone who studies *The Protocols of the Elders of Zion* and specifically the Talmud," he said, "will discover that one of the goals of these Protocols is to cause confusion in the world and to undermine security throughout the world." Steve Boggan. "The anti-Jewish lie that refuses to die." *The Times*, March 2, 2005.
Attacks on Jewish theology were also common to Julius Streicher, the editor of the Nazi daily *Der Sturmer*, who claimed to be an expert in the Talmud, as did the Nazi movement's chief ideologist, Alfred Rosenberg, who wrote a book called *Unmoral im Talmud* ("Immorality in the Talmud"). See <https://blog.nli.org.il/en/nazisandthetalmud/>.
11. <https://www.memri.org/tv/hamas-mp-yunis-astal-parliament-should-recommend-kill-jews-wherever-find-them>.
12. <https://palwatch.org/page/9028>.
13. <https://www.jpost.com/Israel-News/7-year-old-child-missing-in-Jerusalem-Bait-Hanina-615271>. The retweet, originally from a Twitter account called "Real Seif Bitar," accused "Israeli settlers" of kidnapping and executing the boy and accused IDF soldiers of assaulting search teams. In her tweet, Ashrawi added, "The heart just shatters, the pain is unbearable, no words." Subsequently, U.S. Congresswoman Rashida Tlaib re-tweeted Ashrawi's allegations. Seth J. Frantzman and David Brinn. "The Exploitation of a Tragedy: 8-year-old Found Dead in Jerusalem," *Jerusalem Post*, January 25, 2020. Tlaib was never sanctioned for her retweet, which she deleted. <https://www.timesofisrael.com/tlaib-deletes-retweet-claiming-settlers-killed-boy-found-dead-in-rain-filled-pit/>.
14. <https://www.reuters.com/article/us-palestinians-israel/abbas-says-some-israeli-rabbis-called-for-poisoning-palestinian-water-idUSKCN0Z91J8>; <https://www.timesofisrael.com/abbas-walks-back-claim-rabbis-sought-to-poison-palestinian-wells/>.

15. <https://www.timesofisrael.com/abbas-says-jews-behavior-not-anti-semitism-caused-the-holocaust/>.
16. Article Seven of the Hamas Covenant quotes Islamic theological literature, stating: "The Day of Judgement will not come about until Moslems fight the Jews (killing the Jews), when the Jew will hide behind stones and trees. The stones and trees will say O Moslems, O Abdulla, there is a Jew behind me, come and kill him. Only the Ghardad tree, (evidently a certain kind of tree) would not do that because it is one of the trees of the Jews." (related by al-Bukhari and Moslem)." See https://avalon.law.yale.edu/20th_century/hamas.asp.
17. Steven Erlanger, "In Gaza, Hamas's Insults to Jews Complicate Peace," *The New York Times*, April 1, 2008; <https://www.nytimes.com/2008/04/01/world/middleeast/01hamas.html>.
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19. https://www.timesofisrael.com/liveblog_entry/hamas-calls-on-gazans-to-stop-waving-swastika-banners-at-protests/.
20. JTA. "Hamas rips UN for teaching the Holocaust." August 31, 2009. <https://www.jta.org/2009/08/31/israel/hamas-rips-u-n-for-teaching-the-holocaust>.
21. <https://www.jpost.com/arab-israeli-conflict/name-of-shop-is-hitler-and-i-like-him-because-he-was-the-most-anti-jewish-person-432190>.
22. <http://www.thetower.org/article/how-holocaust-denial-shaped-mahmoud-abbas-worldview/>.
23. <https://edition.cnn.com/2022/08/17/middleeast/abbas-holocaust-comments-berlin-mime-intl/index.html>.
24. <https://2009-2017.state.gov/documents/organization/102301.pdf>.
25. <https://www.washingtonpost.com/archive/opinions/1994/05/26/arafats-loose-lips/ffd735a8-fe5f-4172-87fa-a77b4261c820/>.
26. Arafat Clarifies Jihad call, Peres Accepts Explanation. Los Angeles Times, May 19, 1994.
27. William A. Orme, Jr. "While Mrs. Clinton looks on, Palestinian officials criticize Israel," *New York Times*, Nov. 12, 1999. <https://www.nytimes.com/1999/11/12/nyregion/while-mrs-clinton-looks-on-palestinian-officials-criticize-israel.html>.
28. Itamar Marcus and Nan Jacques Zilberdik. *Deception: Betraying the Peace Process*. Palestinian Media Watch, 2011. P. 83.
29. <https://www.mfa.gov.il/mfa/aboutisrael/history/holocaust/pages/letter%20from%20israel%20ambassador%20to%20the%20un%20to%20un%20secr.aspx>.
30. Third World Conference against Racism and Racial Discrimination, Durban, South Africa, 31 August - 7 September 2001.
31. Article 162, WCAR NGO Declaration, 3 September 2001. During the Cold War, the PLO adopted socialist-inspired terminology and ideological tutelage from the Soviets and Chinese along with arms and covert military training. <https://www.jpost.com/Middle-East/Russians-in-Gaza-training-PA-cops>; <https://www.haaretz.com/israel-news/2019-08-04/ty-article-magazine/.premium/how-china-became->

- the-palestinians-biggest-ally-in-the-1960s/0000017f-f8f1-d2d5-a9ff-f8fd50cc0000
See also Izabella Tabarovsky <https://fathomjournal.org/soviet-anti-zionism-and-contemporary-left-antisemitism/>.
32. Izabella Tabarovsky. "Demonization Blueprints: Soviet Conspiracist Antizionism in Contemporary Left Wing Discourse." *Journal of Contemporary Antisemitism*. Vol. 5, No. 1, Spring 2022. <https://londonantisemitism.com/news/demonization-blueprints-soviet-conspiracist-antizionism-in-contemporary-left-wing-discourse-izabella-tabarovsky%EF%BF%BC/>: "The 2001 UN Conference against Racism at Durban offered a stark illustration of the ease with which progressive antizionism devolves into dehumanization of the Jews. In Durban, self-described anti-racists – including international NGOs Human Rights Watch and Amnesty International – stood by as Jewish participants were harassed and prevented from speaking. Booths displayed posters picturing Jews with hooked noses and bloodied hands, and ones equating Zionism with Nazism.¹ The Protocols of the Elders of Zion were distributed, along with flyers bearing Hitler's photo, captioned "What if I had won?"² The security situation deteriorated, threatening Jewish attendees' physical safety. What began with a demonization of Israel quickly turned into a demonization of "Jews of the entire world," who were portrayed as "accomplices of this evil regime."
 33. <https://unwatch.org/issue-557-great-evil-loosed-upon-world/>.
 34. <https://www.israelnationalnews.com/news/9251>. Belatedly, the European Union also criticized the NGO declaration at Durban.
 35. On September 3, in the Israeli official proclamation, delivered by Head of the Israeli Delegation Ambassador Mordecai Yedid. Israel Ministry of Foreign Affairs. Durban, September 3, 2001 <https://www.jewishvirtuallibrary.org/durban-i-un-conference-against-racism-2001#2>.
 36. https://jcpa.org/overview_palestinian_manipulation/role_of_ngos_in_the_palestinian_political_war/; <https://jcpa.org/article/how-to-rescue-civil-discourse-on-israel/>.
 37. <https://www.amnesty.org/en/latest/campaigns/2022/02/israels-system-of-apartheid/>; https://www.btselem.org/publications/fulltext/202101_this_is_apartheid; <https://www.hrw.org/news/2021/07/19/israeli-apartheid-threshold-crossed>.
 38. The BDS movement would eventually find solidarity in Western identity politics movements that emphasize race. <https://jcpa.org/article/the-alignment-of-bds-and-black-lives-matter-implications-for-israel-and-diaspora-jewry/>.
 39. <https://www.jcpa.org/phas/phas-wistrich-fo4.htm>.
 40. <https://www.timesofisrael.com/german-parliament-denounces-anti-israel-boycott-movement-as-antisemitic/>.
 41. BDS co-founder Omar Barghouti has stated his anti-Zionism explicitly. See <https://twitter.com/AIPAC/status/1149323328471085057>.
 42. https://en.wikipedia.org/wiki/Carlos_Latuff#/media/File:Holocaust_Remembrance_Day.jpg.
 43. <https://www.timesofisrael.com/as-campus-antisemitism-morphs-bullied-jewish-students-counter-organize/>; <https://www.jpost.com/diaspora/antisemitism/liberal-student-drops-out-cuny-law-for-antisemitic-harassment-624446>; <https://www>.

- timesofisrael.com/thousands-of-middle-east-scholars-sign-resolution-endorsing-boycott-of-israel/.
44. See https://jcpa.org/pdf/PACBI_unmasked_web.pdf.
 45. The Palestinian narrative that deems militants “freedom fighters” against “racist” Israel – allows the PA, PLO and Hamas to justify the murderous means of terrorism to isolate and destroy the “racist oppressor” to the noble end of “freeing Palestine.” The end justifying the means has given Palestinian antisemitism a “free pass” in the progressive West, even while Hamas and the PA oppress their own people: killing and torturing journalists, dissidents, and gays. Even Islamist Hamas has learned to pander to social justice warriors: at a rally in 2018, it hung a gigantic backdrop poster with the images of “brown and black” pacifist civil rights heroes behind its key speakers on an outdoor stage: Mahatma Gandhi, Martin Luther King, Jr., and Nelson Mandela. <https://www.nytimes.com/2018/04/15/world/middleeast/israel-hamas-gaza-great-return.html>.
 46. <https://www.timesofisrael.com/abbas-says-jews-behavior-not-antisemitism-caused-the-holocaust/>.
 47. <https://www.jpost.com/middle-east/article-734321>.
 48. Koonz, Claudia (2003) *The Nazi Conscience*. Harvard University Press. <https://www.jewishvirtuallibrary.org/antisemitism-in-palestinian-school-textbooks>. Islamic education material depicts Jews as “inherently treacherous, and hostile to Islam and Muslims.” including grammar exercise implying that Jews are impure and defiling the Al-Aqsa Mosque on the Temple Mount in the Old City of Jerusalem. See <https://www.timesofisrael.com/unrwa-textbooks-still-include-hate-antisemitism-despite-pledge-to-remove-watchdog/>.
 49. <https://www.timesofisrael.com/kids-in-palestinian-kindergarten-filmed-play-clashing-with-idf-becoming-martyrs/>.
 50. <https://twitter.com/AdinHaykin1/status/1609833483710484480>.
 51. See pp. 15-23 in <https://jcpa.org/pdf/The-Gaza-War-2014-Site.pdf>.
 52. Out of a total budget of NIS 128 million to counter delegitimization of Israel. <https://www.nytimes.com/2018/04/15/world/middleeast/israel-hamas-gaza-great-return.html>. <https://www.timesofisrael.com/israel-seen-as-a-pariah-state-says-top-strategy-official/>.
 53. <https://edition.cnn.com/2017/03/07/middleeast/israel-bds-boycott-law/index.html>. In 2019, the Israeli Supreme Court overruled the law, allowing a University of Florida master’s student who had headed a local chapter of Students for Justice in Palestine at the University of Florida and had been involved in BDS activity, to stay in Israel to study at Jerusalem’s Hebrew University.
 54. https://www.gov.il/BlobFolder/generalpage/terrorists_in_suits/en/De-Legitimization%20Brochure.pdf.
 55. <https://www.jpost.com/arab-israeli-conflict/israel-defends-right-to-west-bank-settlements-at-unsc-watch-live-588178>.
 56. <https://www.israelhayom.com/2020/08/14/the-best-defense-is-a-good-diplomatic-offense-says-new-israeli-envoy-to-us/>.
 57. <https://www.theguardian.com/world/2022/aug/17/uproar-after-mahmoud-abbas-in-berlin-accuses-israel-of-50-holocausts>.

58. <https://www.israelhayom.co.il/news/world-news/middle-east/article/12959192>.
59. <https://www.timesofisrael.com/a-monstrous-lie-abbas-50-holocausts-claim-met-with-outrage-in-israel-germany/>. The German ambassador to Israel, the German Chancellor, Holocaust expert and U.S. antisemitism envoy Deborah Lipstadt, and Reform movement leader Rabbi Rick Jacobs, among others, joined the condemnation.
60. Defense Minister Benny Gantz and Prime Minister Naftali Bennet condemned the vandalism harshly, quickly refurbished the site, and vowed harsh punishment for violators. <https://www.i24news.tv/en/news/israel/defense/1649576881-vandalism-of-joseph-s-tomb-a-serious-violation-gantz>; <https://www.timesofisrael.com/palestinians-vandalize-west-bank-shrine-drawing-israeli-condemnations/>. In December 1999, former mayor of Jerusalem Ehud Olmert ordered to halt digging at the Temple Mount that was causing archaeological damage and the erasure of evidence of Jewish historical connection to the site. In 2000 and 2001, Israeli archaeologists, jurists, intellectuals and leaders petitioned their Prime Minister and the Supreme Court with expert opinions on the intentional damage, including the dumping of archaeological evidence in the city landfill by the Islamic Waqf. http://news.bbc.co.uk/2/hi/south_asia/548443.stm; <https://www.jcpa.org/jl/vp483.htm>.
61. <https://www.gov.il/en/departments/news/fm-lapid-names-noa-tishby-as-special-envoy-for-combating-antisemitism-and-delegitimization-11-apr-2022>.
62. Israeli Arab children learn the Israeli curriculum, while West Bank and Gaza children utilize UNRWA, Hamas, or PA curricula. Jerusalem Arabs mostly use the Palestinian curriculum. See <https://www.israelhayom.com/2023/02/20/inside-schools-in-east-jerusalem-how-hate-is-taught/> and https://www.timesofisrael.com/liveblog_entry/report-finds-incitement-against-israel-still-prevalent-in-unrwa-school-material/.
63. <https://edition.cnn.com/2022/09/30/middleeast/palestinian-textbooks-jerusalem-mime-intl/index.html>; https://www.timesofisrael.com/liveblog_entry/eu-frees-funding-for-palestinians-held-up-over-textbook-reforms/.
64. Eventually the EU released the funds - \$220 million in June 2022. <https://www.wrmea.org/israel-palestine/the-politics-of-palestinian-textbooks.html>.
65. <https://www.jpost.com/diaspora/article-730866>; <https://www.ynet.co.il/news/article/rvjnfpns>.
66. <https://www.haaretz.com/middle-east-news/palestinians/2023-01-09/ty-article/.premium/israeli-sanctions-will-lead-to-pas-collapse-palestinian-pm-tells-haaretz/00000185-9541-d3f9-a7df-9f6790280000>.
67. <https://www.makorrishon.co.il/news/216251/>, March 2020.
68. <https://www.timesofisrael.com/israeli-sanctions-will-lead-to-palestinian-authority-collapse-warns-pm-shtayyeh/>; <https://www.jpost.com/opinion/article-726914>.
69. https://www.gov.il/he/departments/news/2021_diaspora_annual_report.
70. <https://www.timesofisrael.com/knesset-passes-law-to-strip-terrorists-who-receive-pa-stipends-of-israeli-citizenship/>; <https://www.bbc.com/news/world-middle-east-64654634>.
71. <https://www.jpost.com/israel-news/abbas-to-j-street-us-must-rescind-declaration-of-plo-as-terror-group-665557>. In 2018, after Abbas blamed Jews for the Holocaust,

- J Street condemned his remarks <https://jstreet.org/press-releases/j-street-strongly-condemns-incendiary-offensive-remarks-by-president-abbas/#.ZA71l3ZByUl>.
72. <https://www.timesofisrael.com/israel-to-withhold-millions-in-tax-revenues-from-pa-over-terrorist-financing/>.
 73. <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>.
 74. 3-D test for antisemitism refers to actions of Demonization, Double Standards, and Delegitimization.
 75. <https://jcpa.org/israelophobia-and-the-west/fighting-anti-semitism-both-left-and-right/>.

The Palestinian Authority's Corruption and Its Impact on the Peace Process

Khaled Abu Toameh

Nearly three decades after its establishment, the Palestinian Authority and its institutions continue unchecked in their corruption and human rights violations. This has negatively impacted the Palestinian public's confidence in its leadership's policies and decisions. The ramifications of this on the Palestinian Authority's leadership have been devastating, especially regarding the peace process with Israel and its ability to lead the Palestinians toward statehood.

The Palestinian Authority has a dismal record of human rights violations, including the maltreatment of dissidents and prisoners. Nizar Banat was an outspoken critic of PA corruption. On June 24, 2021, Palestinian Authority security forces stormed his house, beat him with clubs, and took him away. Banat was dead an hour later, and the officials responsible have not been charged.

The allegations of corruption, leveled against the Palestinian Authority almost from day one, severely undermined the credibility of former PLO Chairman Yasser Arafat and his successor, Mahmoud Abbas, in the eyes of their people.

The charges, which have exponentially increased over the past three decades, are among several factors that have made it more difficult, if not impossible, for Arafat and Abbas to make substantial concessions that would lead to a peace agreement with Israel.

One of the main priorities of these two leaders has been to prove that, when it comes to dealing with Israel, they are not "getting into

bed with the enemy” for personal profit. Countering this perception has superseded their considerations of making peace with Israel.

Many Palestinians believe that weak compliance with the rule of law, absence of the parliament, failure to hold corrupt senior officials accountable, and weak civil society organizations have all contributed to the spread of corruption.

From the very beginning of the “peace process” in 1993, many Palestinians saw it as a “transaction” between the Israeli government and the corrupt PLO leadership that was hungry for money after being dumped by many Arab countries as retaliation for supporting Iraqi dictator Saddam Hussein’s invasion of Kuwait in 1990.

After the liberation of Kuwait a year later, the oil-rich emirates and other Gulf states decided to cut off funds to the PLO, causing the organization one of its most serious financial crises.

The Oslo Accords, however, saved the PLO from collapsing once the Arab financial aid was replaced with massive funds by the United States, Europe, and other countries.

Many Palestinians observed that the only things the “peace process” brought about were the enrichment of senior PLO officials and their family members and associates who greedily siphoned publicly-designated funds to drive luxury cars and build extravagant mansions, particularly in Ramallah and the Gaza Strip.

Many Palestinians quickly realized that what was unfolding before their eyes was no “peace process” but a process of avaricious PLO leaders and their entourage diverting international aid and making huge profits out of the Oslo Accords.

The conspicuous wealth and consumption of Mahmoud Abbas’ sons, Tarek and Yasser, have been very controversial in Palestinian society since 2009, when *Reuters* published articles linking Tarek and Yasser to several multi-million-dollar business deals, including a few that were U.S. Government contracts.¹

Western donors’ failure, or refusal, in the first two decades after the “peace process” to hold the Palestinian Authority accountable for their outlandish abuse of funds, was one of the main reasons most Palestinians lost faith in the Oslo Accords.

Moreover, it was also one of the primary reasons so many Palestinians were radicalized and ultimately voted for Hamas in the 2006

parliamentary election. When they saw no benefit from the Palestinian Authority's "peace process" with Israel and became furious about its leaders' corruption, they saw Hamas as their only recourse.

The bitterness and frustration on the Palestinian street were evident from the first days of the arrival of the "Tunisian Mafia" (the term some Palestinians use to describe the then Tunisia-based PLO leadership). The ordinary Palestinians felt that the Oslo Accords were not about improving their living conditions or building a stable economy but about serving the interests of Arafat and his cronies.

Scenes of senior Palestinian officials driving in motorcades escorted by bodyguards and personal assistants and reports about the lavish lifestyle of PLO leaders further exacerbated the sense of anger and marginalization among the Palestinians.

The story of the Oasis Casino in Jericho, which operated briefly before the eruption of the Second Intifada in 2000, was and remains –



A screenshot of PA security personnel dragging Banat to the hospital, where he was pronounced dead. (*YouTube/Middle East Eye*)

in the eyes of many Palestinians – one of the most prominent symbols of the corruption of the PLO leadership. The casino was viewed as a joint project by corrupt Palestinian and Israeli officials to enrich themselves at the expense of Palestinians and Israelis.

Gambling is banned in Islam, and Palestinian Islamists used the casino to depict the PLO leadership as infidels and traitors. These allegations further undermined the credibility of Arafat and his associates among their own people.

The security coordination between the Palestinian security forces and Israel, for example, is often cited by many Palestinians as a direct result of the corruption of senior Palestinian officials. They argue that these officials, some of whom are tainted with corruption scandals, refuse to halt the security coordination because they fear losing their Israeli-issued VIP entry cards and other privileges that they and their families enjoy due to cooperation with Israel.

The increased talk about corruption has prompted many Palestinians to regularly question the motives and reasons behind decisions made by Palestinian leaders. If, for example, the Palestinian Authority decides to build a hospital, the first question that many Palestinians would ask is who in the “President’s Office” earned a commission from the project.

The same applies to the “peace process” with Israel. Each time Israeli and Palestinian negotiators have met at the negotiating table to discuss ways of moving forward on this track, reports and rumors have surfaced on the Palestinian street about the privileges and rewards certain Palestinian officials have been offered (by Israel and the United States) in return for making far-reaching concessions to Israel. These claims and rumors have not been brushed aside. They have played a role in deterring Palestinian leaders from making meaningful concessions for peace with Israel.

Corruption remains a significant obstacle to fulfilling the national aspirations of the Palestinians, particularly in building a democratic society, transparent institutions, and establishing a Palestinian state.

Worse, the corruption has played into the hands of the Palestinian Authority’s rivals, particularly Hamas, the Islamist movement that does not recognize Israel’s right to exist and whose 1988 Charter calls for Jihad (holy war).

In late 2005, Hamas decided for the first time to run in the parliamentary election, which took place in January 2006. Hamas's slogan then was "Partners in the Blood, Partners in the Decision," reflecting a desire to present itself as capable of being part of the Palestinian leadership and decision-making process.

The corruption facilitated Hamas' victory in that election. Hamas' electoral list was named "Change and Reform Bloc," with a platform that promised to end corruption and bring good governance. Hamas, in short, knew precisely what the Palestinian public wanted.

Hamas won 76 out of 132 seats of the Palestinian parliament, the Palestinian Legislative Council.²

The victory of Hamas was mainly a vote of protest against corruption and the Palestinian leadership's failure to tackle the issue.

The platform of Hamas' Change and Reform Bloc attracted many Palestinians. It included a pledge to "fight corruption in all its forms," plainly identifying it as "a major cause of weakening the Palestinian home front and undermining the foundations of national unity."



The Jericho casino, which opened in 1998, reportedly earned more than \$50 million in its first year. In the 2000 Intifada, Palestinian gunmen on the roof shot at Israeli positions, and Israeli tanks damaged the building. It never reopened.

The platform also included promises to:

Enhance transparency, oversight, and accountability in dealing with the general budget and reformulating the public employment policy to ensure equal opportunities for all the Palestinian people based on competence and to prevent the position from being used for private interest.

Hamas further promised to “combat nepotism and factionalism in appointments and promotions in all public institutions, as well as fighting ‘negligence’ in government performance and waste of public money.”³

A Weak Attempt to Fight Corruption

In 2010, the Palestinian Authority, facing immense pressure from the Palestinian public and some Western donors, established the Palestinian Anti-Corruption Commission.

The commission was charged with receiving complaints from the public and ensuring that corruption cases were dealt with quickly and effectively. But according to Palestinian political analyst Tareq Da’na:

Although the commission is described as independent, financially and administratively, its president is appointed by presidential decree, and many members of its advisory board have previously held official positions as ministers, ambassadors, and advisers to the Palestinian Authority president. Although some corruption cases were referred to the judiciary, the investigations were selective, according to press reports and interviews conducted by the author. Moreover, polls indicate that public opinion is losing confidence in the commission at an increasing pace and believes that the presidency, security services, and political parties regularly interfere in its work.⁴

Public opinion polls show that a vast majority of Palestinians continue to believe that corruption exists in the Palestinian Authority, despite the efforts of the anti-corruption commission.

According to a December 2022 opinion poll by the Palestinian Center for Policy and Survey Research (PCPSR), 81% of Palestinians think there is corruption in Palestinian Authority institutions.⁵ Similar results were registered in polls held by the same organization in previous years,⁶ and they did not surprise those following the Palestinian Authority since its inception in 1994.

Another poll conducted by the Coalition for Accountability and Integrity (AMAN) in December 2022 found that most Palestinians (85%) consider the efforts to combat corruption insufficient.⁷

Many Palestinians believe that weak compliance with the rule of law, absence of the parliament, failure to hold corrupt senior officials accountable, and weak civil society organizations, have all contributed to the spread of corruption. In addition, they do not believe in the efficiency or effectiveness of the efforts of the anti-corruption agencies in combatting corruption and continue to doubt their impartiality and independence.

According to the Palestinians, the most important reasons for insufficient anti-corruption efforts are:

- Lack of transparency in the administration of state institutions.
- Lack of political will to hold the corrupt accountable.



Abbas' Presidential Palace outside of Ramallah, built in 2017 with helipads and a swimming pool at a cost estimated at \$16 million. Public discontent led Palestinian officials to declare it would house the National Palestinian Library. (*Ameen Rammal/CC BY-SA 4.0*)

- The penalties against the offenders of corruption offenses are too light to deter.
- Lack of role models among the officials who would comply with the values of integrity and preserve public resources and interests.⁸

AMAN states, “The offenses of favoritism and nepotism, embezzlement of public funds, breach of trust, abuse of power, bribery, and money laundering are the most common forms of corruption.”

In the absence of a functional parliament (which has been effectively paralyzed since the Hamas takeover of the Gaza Strip in 2007) and in the absence of an open and free debate about sensitive issues under the Palestinian Authority, it is hard to see how things can change any time soon.

The weakness of the judiciary system under the Palestinian Authority has also contributed to the sense of despair in the West Bank. Court rulings are sometimes ignored by the Palestinian Authority and its security forces. This has contributed to an increase in anarchy and lawlessness in areas under the control of the Palestinian Authority, especially with the emergence of armed gangs.

How to Deflect Citizens' Anger

Meanwhile, The Palestinian Authority continues to engage in massive incitement against Israel to draw attention away from its own corruption, lack of public freedoms, and democracy. The incitement ensures that criticism and grievances would only be directed against Israel. The Palestinian leadership wants its people to be busy hating Israel; otherwise, they might come to the leaders in Ramallah and demand reforms and democracy.

The Palestinian Authority has lost the faith of the people they are supposed to represent. More than 70% of the Palestinians want Abbas to resign, according to recent polls. Nepotism and favoritism run rampant, while officials and their cronies shamelessly flaunt wealth attained by absconding with billions in funds meant for the betterment of their own people.

This loss of faith has allowed Hamas to prey on the rightful misgivings of the Palestinian people and, consequently, to challenge PA leadership. Subsequently, this has led to a schism between the Palestinian Authority-controlled West Bank and the Hamas-controlled Gaza Strip, sundering the Palestinians' dream of building good government and securing democratic rule while bringing anarchy and lawlessness to many Palestinian communities.

What Should Be Done?

The only way to combat the corruption is for Western donors to increase the pressure on the Palestinian Authority leadership by demanding transparency and accountability and no longer giving them a free pass. Internal supervisory organizations have proven not only to be ineffective but mere extensions of the corruption they were designated to fight.

American, European, and other sources of funding that allow the Palestinian Authority to continue must insist on accountability. Fiscal transparency must be inextricably interwoven in the funding process.

Only these actions can stop the spiraling abuse of funds and return international aid to those it was intended to help. Freeing those funds to build the necessary infrastructure to educate and to create jobs will change the dynamic from a hungry and angry people (easily diverted to incitement against Israel for their misfortunes) to a satisfied and happier people.

Only full financial accountability can halt the Palestinian people's deep mistrust of its leadership and, ultimately, its subsequent reticence in engaging as a partner in any viable peace process.

Notes

1. <https://foreignpolicy.com/2012/06/05/the-brothers-abbas/>.
2. <https://info.hamass.ps/post/28/%D9%81%D9%88%D8%B2-%D8%AD%D9%85%D8%A7%D8%B3-%D8%A8%D8%A7%D9%84%D8%A7%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A%D8%A9-%D8%A7%D9%84%D8%AB%D8%A7%D9%86%D9%8A%D8%A9>.

3. <https://islah.ps/new2/?news=128>.
4. <https://www.masarat.ps/article/1514/%D8%A7%D9%84%D9%81%D8%B3%D8%A7%D8%AF-%D9%81%D9%8A-%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86-%D9%86%D8%B8%D8%A7%D9%85%D9%8C-%D9%85%D8%AA%D8%AC%D8%AF%D8%AF>.
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Israel's Contribution to the Failure of the Oslo Accords

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- For Palestine Liberation Organization (PLO) leader Yasser Arafat, the Oslo Accords were merely an opportunity to secure a solid foothold in Judea, Samaria, and Gaza from which to pursue his oft-repeated goal to destroy Israel. Yet from the start, there was a systemic Israeli failure to identify these motivations.
- The agreements between Israel and the PLO included reciprocal Palestinian commitments. Primary among these was the total abandonment of terrorism to advance their political agenda. Instead of demanding and ensuring strict PLO/PA compliance with their commitments to combat terror, Israel watched as the PLO/PA embraced Palestinian terror organizations and actively participated in terror.
- Internationally-designated terror organizations responsible for the murder of thousands of Israelis operate freely in the PA-controlled areas. When Israel arrests terrorists, the PA still pays them substantial monthly payments to reward their participation in terror.
- This review focuses on four representative aspects of Palestinian non-compliance and Israeli inaction – the saga of the Palestinian Covenant, the failure of the PLO/PA to fulfill its commitments to combat terror, the lack of Palestinian democracy, and the “State of Palestine” affair.

The agreements between Israel and the Palestine Liberation Organization (PLO) were never “Peace Agreements” in the true sense

of the word. While Israel entered the agreements with a genuine desire to secure a better, safer, and more prosperous future for both Israelis and Palestinians, for PLO leader Yasser Arafat, the agreements were merely an opportunity to secure a solid foothold in Judea, Samaria, and the Gaza Strip from which he and his organization could continue to pursue their oft-repeated goal to destroy Israel. From the start, there was a failure to identify these motivations, a systemic failure that continues to the present. It has been and continues to be the most significant impediment to peace. Today, almost 30 years since the first Israeli-PLO agreement was signed, peace is farther away than ever.

While the agreements between Israel and the PLO focused on what territorial control, powers, responsibilities, and jurisdiction the Israeli side would give the Palestinians, they also included reciprocal Palestinian commitments. Primary among these commitments was the total abandonment of the use of terrorism to advance their political agenda.

Israel authorities, instead of insisting that the PLO, the Palestinian Authority (the body created by the agreements), and their respective leaders fulfill their agreed commitments, adopted an approach of willful paralysis.

Time after time, the Israeli authorities watched as the PLO/PA ignored its commitments, engaged in practices, and adopted policies fundamentally contradictory to the agreements. While Israel voiced concern over these breaches of the agreements, no practical steps were taken on the ground to remedy the situation. Even when Israel responded to the Palestinian breaches by temporarily delaying the implementation of the agreements, these moves were short-lived.

Most significantly, instead of demanding and ensuring strict PLO/PA compliance with their commitments to combat terror, Israel watched as the PLO/PA embraced the so-called “Palestinian factions,” which include internationally-designated terror organizations, and actively participated in terror.

As time moved on and the PLO/PA breaches of the agreements became more egregious, the Israeli approach of appeasement became more entrenched. While this pattern of behavior applies to many different aspects of the Oslo Accords, the following will focus on four representative aspects of Palestinian non-compliance and Israeli inaction

– the saga of the Palestinian Covenant, the failure of the PLO/PA to fulfill its commitments to combat terror, the lack of Palestinian democracy, and the “State of Palestine” affair.

Brief Overview of the Agreements

The “Oslo Accords” is a generic name for several agreements between Israel and the PLO from September 1993 through September 1995.

The agreements were essentially made up of four primary documents:

The Declaration of Principles,¹ signed September 1993; The Protocol on Economic Relations,² signed April 1994; The Agreement on the Gaza Strip and Jericho Area,³ signed May 1994; and the Interim Agreement⁴ on the West Bank and the Gaza Strip that was signed in September 1995.

In a nutshell, Israel agreed that the PLO would establish an autonomous body – the Palestinian Authority (PA) – that would govern the day-to-day aspects of the lives of the Palestinians living in Judea, Samaria, and the Gaza Strip. To do so, Israel agreed to transfer to the



(Left to right) Egyptian President Hosni Mubarak, PLO Chairman Yasser Arafat, U.S. President Bill Clinton, Prime Minister Yitzhak Rabin, and King Hussein pose in the White House after signing the Oslo 2 Agreements, September 28, 1995. (Avi Ohayon/GPO)

PA control over territorial areas in which 95% of the Palestinians in Judea and Samaria lived, together with all the necessary powers and responsibilities previously held by the Israeli authorities, to administer these territories. To provide the PA with the ability to function financially, Israel also agreed to continue collecting certain taxes and to transfer the income to the PA. Israel also agreed to allow the Palestinian body to establish a police force in charge of public order in the areas assigned to the control of the PA.

In return, the PLO agreed to a few fundamental commitments. First and foremost, the PLO committed to erasing all the different expressions that called for Israel's destruction from its Covenant. The PLO further committed to using the newly created PA body as a vehicle for peace, preventing incitement to hatred and violence, and combating terror. Finally, the PLO agreed that the PA would be a paragon of Western democracy, in which free and transparent elections would elect the Palestinian leader and the PA parliament at regular intervals. Both sides also committed to refrain from unilateral activities that may impact the agreement on four topics to be agreed upon in further negotiations over the permanent status (territory, Jerusalem, Israeli settlements, and the fate of the refugees).

The Importance of Terminology

While the Oslo Accords reflected the aspirations of the Israeli side and the international community to create a Palestinian civil society, Arafat cared less about the details and more about the narrative.

Indeed, Arafat's first goal was to ensure that the Oslo Accords used ambiguous terminology that he could manipulate to his benefit. It would reflect a disconnect between Israel and the areas they referred to.

Thus, the agreements used, for example, the term "The West Bank." While commonly used, the term "The West Bank" has no historical background. Decisions made by the international community and biblical references repeatedly reflected the historical connection of the Jewish people to Judea and Samaria. Even the 1947 United Nations Partition Plan called the area "the hill country of Samaria and Judea." Nonetheless, in the effort to sever the 3,000-year-old connection of the

Jewish people to those areas, the Palestinians were insistent on using the term “The West Bank,” the name first given to Judea and Samaria during the period in which they were illegally occupied by Jordan, from 1948 to 1967.

Similarly, while the text is in English, throughout the Oslo Accords, the leader of the PA is called the “*Ra’ees*.” While Israel chooses to translate the term as “Chairman,” in reality, the Arabic word can have multiple meanings, including “President,” “Leader,” “Chairman,” or “Chief.” This approach allowed Arafat to present himself as a “President,” equal in position and stature to any other “President” of a country.

On both points, in the interest of peace, Israel conceded.

Israel Fails to Demand Full PLO/PA Compliance with the Oslo Accords

Following signing the agreements, Israel quickly fulfilled its commitments to redeploy its forces from the large Arab cities and outlying areas (referred to in the Accords as areas A and B) and to transfer the necessary powers and responsibilities to the PA. The PLO and the PA did not reciprocate.

Despite repeated Israeli demands, to this day, most of the PLO commitments still need to be fulfilled. Even when the PLO claims it has met its commitments substantially, the Palestinian side continues to flout many, if not all, of its substantive reciprocal obligations.

The Saga of the PLO Covenant

The PLO Covenant is the foundational document of the organization in which it presents its principles, goals, and aspirations. As such, the PLO Covenant contains repeated expressions of the organization’s goal to destroy Israel.

While the PLO commitment to amend its Covenant was not expressly mentioned in the 1993 Declaration of Principles, in a letter⁵ signed four days earlier and addressed to then-Israeli Prime Minister Yitzhak Rabin, Yasser Arafat wrote:

[T]he 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.

Arafat and the PLO did not make the necessary changes to Covenant, despite the unequivocal commitment and despite Israel's implementation of its obligations to initially redeploy from large parts of the Gaza Strip and from the city of Jericho to allow Arafat and other PLO leaders to enter those areas and to transfer the powers and responsibilities needed to administer those areas.

Noting the failure to fulfill their commitments, Article XXXI(9) of the September 1995 Interim Agreement reiterated the PLO's obligation to amend its Covenant:

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.

Resting on the renewed commitment, Israel again implemented its obligations under the Interim Agreement to redeploy from additional territories and to transfer more powers and responsibilities to the PA. Even though the "Council" referred to was established in January 1996, the PLO again failed to comply with its commitment.

In April 1996, the PLO feigned compliance, but in actuality, all it did was adopt a general decision about "canceling the articles that are contrary to the letters exchanged between the P.L.O. and the Government of Israel" and charged a legal committee with the task of redrafting the document.

Two years later, in January 1998, Arafat sent a letter to U.S. President Bill Clinton again claiming that the prejudicial clauses in the Covenant had been removed. Notwithstanding Arafat's letter, the October 1998

Wye River Memorandum⁶ again required the relevant PLO bodies to meet and confirm the change:

The Executive Committee of the Palestine Liberation Organization and the Palestinian Central Council will reaffirm the letter of 22 January 1998 from PLO Chairman Yasir 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. 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.

Only in December 1998, five years later, both the United States and Israel could ostensibly affirm that the relevant PLO bodies had met and made the necessary changes.

Having said that, to this day, as *Palestinian Media Watch* exposed,⁷ PA official TV still presents the original provisions of the PLO Covenant to the Palestinian people.

Similarly, the PLO official website in Arabic still presents the entire PLO Covenant, including all the original provisions. The provisions presented include Article 19, which provides that “The partition of Palestine in 1947 and the establishment of the state of Israel are entirely illegal,” and Article 20, which declares that “The Balfour Declaration, the Mandate for Palestine, and everything that has been based upon them, are deemed null and void.”

Leaving no room for misinterpretation as regards the means to destroy Israel, the PLO website includes the provisions of the Covenant that explicitly call for Israel’s destruction through terror, such as Article 9, which declares that “Armed struggle is the only way to liberate Palestine,” Article 10, which adds that “Commando action (i.e., PLO euphemism for terror) constitutes the nucleus of the Palestinian popular liberation war,” and Article 21, which emphasizes that “The Arab Palestinian people,

expressing themselves by the armed Palestinian revolution, reject all solutions which are substitutes for the total liberation of Palestine.”

The PLO website also still includes the viciously antisemitic Article 22, which presents Israel and Zionism as a threat to all humanity:

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-a-vis peace in the Middle East and the whole world. Since the liberation of Palestine will destroy the Zionist and imperialist presence and will contribute to the establishment of peace in the Middle East, the Palestinian people look for the support of all 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.

Only after presenting the full version of the Covenant does the PLO website mention that articles 9, 10, 19, 20, 21, and 22 were canceled in 1998 and that others were amended. The website does not specify which additional provisions were amended and does not present an alternate text.

The purpose of including the requirement to amend the PLO Covenant was more than just semantic. The changes were required as a fundamental expression of the change in attitude the PLO was meant to have adopted. Even if the PLO/PA can claim that *de jure*, the relevant provisions of its Covenant that were prejudicial to the Oslo Accords have been amended, in practice, the day-to-day representations and activities of the PLO/PA undermine the substantive commitment. They are certainly a breach of the spirit of the agreements.

PLO/PA Fails to Fulfill Its Commitments to Combat Terror

In the Oslo Accords, the PLO not only agreed to abandon terror but also made repeated commitments to combat terror actively. To fulfill this commitment, Israel agreed that the PA would have substantial police and security mechanisms and that in area A – the area under complete PA control – the Palestinian security forces could even carry weapons. Despite being given the capabilities to meet these commitments, the PLO and the PA failed to do so.

The PLO is a conglomerate of different Palestinian organizations, the biggest and most dominant of which is Fatah, the party of Arafat and his successor, Mahmoud Abbas. But while Fatah and its head do control the PLO from the outset and to this day to a great extent, the PLO members still include internationally designated terror groups, such as the Popular Front for the Liberation of Palestine (PFLP), which is the second largest PLO member, and others.

Despite the commitment of the PLO, the PFLP has never abandoned terror. Instead, to this day, the PFLP remains committed to Israel's destruction and constantly carries out terror attacks, including, among many others, the 2001 murder of Israel's Minister of Tourism, Rehavam Ze'evi, the 2019 murder of 17-year-old Rina Schnerb, and even active participation in shooting missiles from Gaza indiscriminately targeting Israel's civilian population.

Fatah has also not abandoned terror. The most lethal Palestinian terror organization, responsible for hundreds of the deaths of Israelis, is the Al-Aqsa Martyrs Brigades, which was established by, and is an integral part of Fatah. Luckily for Fatah, while the international community has mostly moved away from the paradigm of dividing terror organizations by separating their political wings from their armed wings for political expediency and to avoid declaring the outright failure of the Oslo Accords, only the Al-Aqsa Martyrs Brigades is designated as a terror organization.

Given that the PLO's members are themselves terror organizations, and since Fatah has dominated the PA since its creation, it is unsurprising that the PA failed to fulfill its commitments to dismantle the terror organizations and combat terror.

While PLO/PA hypocrisy is not uncommon, even they have limits. Since the PLO members never abandoned terror, it became internally politically untenable for the PA to actively combat Hamas or Palestinian Islamic Jihad, both of which are homicidal terror organizations.

To feign compliance, the PA quickly adopted what became known as the “revolving door” policy, whereby terrorists were subjected to token arrests by the PA security forces and almost immediately released.

Instead of actively fighting terror, the PA cultivated an all-encompassing terror environment.

In every walk of Palestinian life, the PLO/Fatah used the PA and its mechanisms to promulgate messages of hate and demonization of Israel and Israelis. True to the PLO charter, instead of disseminating messages of peace, conciliation, and recognition of Israel’s very right to exist, the PA messaging to the Palestinian population was that Israel is an illegitimate state, borne out of Western colonialism on stolen Palestinian land.

Using the school system and Soviet-style dominated media – TV, newspaper, radio, and eventually social media – the PLO/PA propaganda machine engaged in wide-scale brainwashing. Recognizing its potential value to inflame religious fervor, the PLO/PA used the inflammatory libel that “Al-Aqsa is in danger” – as if Israel was about to imminently destroy the Temple Mount with its gilded Dome of the Rock and the Al-Aqsa Mosque – as a means to rally thousands of terrorists.

Alongside the incitement of violence and terror, the PA, heavily reliant on foreign aid, also established one of the most egregious terror-supporting and -rewarding mechanisms. According to Palestinian Authority public documents and affidavits provided by PLO/PA officials and other publications, since the creation of the PA, the PLO/PA has paid monthly salaries to imprisoned terrorists and monthly allowances to the families of dead and wounded terrorists. While the payments – collectively referred to as the PA’s “Pay-for-Slay policy”⁸ – were initially relatively conservative under Abbas, the payments grew substantially. They now cost the PA between 600 million to a billion shekels (170 to 270 million U.S. Dollars) every year.

Despite witnessing these events, and while Israel often cried foul and accused the PLO/PA of breaching the accords, Israel did not do much.

From 1995 to 2000, Israel predominantly refrained from invoking its overriding jurisdiction to combat security threats for the first five years of the Oslo Accords. Instead of conditioning any progress to implement the Israeli commitments under the agreements on the PLO first fulfilling its elementary obligations, Israel chose the path of compliance irrespective of the Palestinian actions. Since Israel gave the Palestinian leaders effective impunity to continue inciting hatred, violence, and terror, the Palestinian leadership had no incentive to stop the destructive messaging.

Moreover, with Israel overlooking PLO and Palestinian Authority violations of the Oslo Accords, the United States and the UN, and European witnesses to the Accords also failed to demand enforcement of the Accords' restrictions.

The Absence of PA Democracy

Entire sections of the Oslo Accords were dedicated to molding the evolving Palestinian democracy. According to these provisions, the *Ra'ees* and the PA Legislative Council (PLC) were to be elected by popular vote in free and open elections. Each would be elected for an initial maximum five-year period. PA law later limited the term of the PLC to four years. The term of the *Ra'ees* was also defined as four years with an option, subject to re-election, of a second four-year term.

In practice, since the PA was established in 1995, only two elections have ever been held for the *Ra'ees*. The first, held in 1996, was won by Yasser Arafat,⁹ who remained in his position until he died in 2004. The second, held in 2005, was won¹⁰ by Mahmoud Abbas, now in the 18th year of his first four-year term.

Similarly, only two general elections have been held for the PLC. While the first election, held in 1996, ended in a landslide victory for Fatah,¹¹ the second, held in 2006, finished with a landslide victory for Hamas.¹²

Even if it could be argued that Israel is less interested in ensuring that the PA elections occur on time, Israel should never have accepted, or again accept, the open participation of Israeli and internationally-designated terror organizations, such as Hamas and the PFLP.

The participation of Hamas and the PFLP in the elections was a direct breach of a specific provision in the Interim agreement. Annex II of the Interim agreement dealt explicitly with the Palestinian election process and included, *inter alia*, provisions stipulating who could, and more importantly, could not, present their candidacy for election. Article III(2) of Annex II provides:

The nomination of any candidates, parties or coalitions will be refused, and such nomination or registration, once made, will be canceled if such candidates, parties or coalitions:

- (1) commit or advocate racism; or
- (2) pursue the implementation of their aims by unlawful or nondemocratic means.

At the very least, both the PFLP and Hamas pursue the implementation of their aims – the destruction of Israel – by unlawful means: *Terror*.

The problem, however, was that from day one, the PLO/PA breached the provisions of Annex II.

Article I(2) of the Annex provides:

The holding of elections for the position of *Ra'ees* and for the Palestinian Council shall be governed by this Annex, and the Law on the Election of the *Ra'ees* and the Palestinian Council (hereinafter “the Election Law”) and the regulations made under this law (hereinafter “the Election Regulations”). The Election Law shall be adopted by the Palestinian Authority. The Election Law and the Election Regulations shall be consistent with the provisions of this Agreement.

While the PLO/PA committed that the Palestinian Election Law would be “consistent with the provisions of this Agreement,” the actual Election Law,¹³ adopted in December 1995, less than three months after making the specific commitment, did not include any provision disqualifying the registration candidates due to the pursuit of their goals by unlawful means or their commission or advocacy of racism. All the 1995 Election Law required was that the representative of any registered party sign a

statement “affirming that the entity does not advocate racism.”¹⁴ Instead of demonstrating a bona fides intention to implement the PLO/PA commitment, the Election Law merely placed the proverbial cat to guard the cream.

Despite the breach, the election process continued unabated since both Hamas and the PFLP boycotted the first elections.

The PLO/PA breach of the Inter Agreements further deepened in the run-up to the 2006 general election after both terrorist organizations indicated their intention to participate.

The first breach was the unilateral changes made in the PA Election Law.¹⁵ Issued in August 2005, under the direction of newly elected PA *Ra'ees* Mahmoud Abbas, the new law made several fundamental changes. While Article IV of the Interim agreement provided that the PLC would be “composed of 82 representatives,” in the new 2005 Election Law, Abbas tried to stack the odds in his favor by enlarging the number of PLC members to 132.¹⁶

Not only did the new PA election law not include any provision disqualifying candidates for the pursuit of their goals by unlawful means – Terror – it even abandoned the mealymouthed requirement that the parties running reject racism.

Despite these breaches, the 2006 election process continued unabated, resulting in Hamas winning 74 of the PLC seats and the PFLP winning three.

Instead of fulfilling their commitment to combat terror, the PLO/PA embraced the terror organizations, including them among the “Palestinian factions.” By ignoring the PLO/PA breaches of the Interim Agreements and by agreeing to the participation of terrorist and terror organizations in the elections, to a large extent under American pressure, Israel allowed the PLO/PA to entirely abdicate their commitment to combat terror, even within the PA electoral process.

The “State of Palestine”

For clarity, it is important to stress that the Oslo Accords contains no Israeli commitment to allow or facilitate the creation of a “State of Palestine” in any form. By their nature and content, the Accords were

only interim agreements, limited temporally to five years, which left several cardinal subjects – Jerusalem, settlements, specified military locations, Palestinian refugees, borders, foreign relations, and Israeli residents – for so-called “permanent status” discussions.

Presenting the 1995 Interim Agreement in the Knesset on October 5, 1995, then-Israeli Prime Minister Yitzchak Rabin stated clearly,¹⁷ that the Palestinian entity he envisaged would necessarily be “less than a state.” Rabin added that the Palestinian entity in Judea and Samaria would be surrounded by Israel, including the Israeli settlement blocks.

Nonetheless, over the last 30 years, the PLO/PA has devoted considerable attention, effort, and funds, to persuade the international community to recognize the existence of a “State of Palestine” whose borders with Israel are the June 4, 1967, “borders.” These efforts did not go unrewarded. Even though “Palestine” lacks accepted Montevideo requirements for statehood,¹⁸ many countries do recognize the “State of Palestine.” More importantly, the efforts reached a substantial symbolic peak in 2012, when the United Nations General Assembly voted to grant the non-existent “State of Palestine” special “non-member observer State status.”

The symbolic peak of the UN General Assembly’s recognition of “Palestine” as a state, turned into a practical disaster when the non-existent “State of Palestine” joined the International Criminal Court and started flooding it with sundry complaints.

Since all these activities are funded from the coffers of the PA, and since Israel provides the PA with 65%-70% of its budget, in practicality, Israel is financing the PLO/PA-driven international onslaught against itself.

It’s All a Question of Money

To ensure PLO/PA compliance Israel holds a wide variety of options, the most obvious of which is the financial option.

As noted above, as part of the Oslo Accords, Israel agreed to waive billions of shekels of tax revenues in favor of the PA. These taxes account for 65%-70% of the PA’s entire budget. Without the taxes, the PA cannot

exist. Without the taxes, the PA cannot engage in all its activities that breach the Accords.

But while the Israeli government holds the financial existence and future of the PA in its hands, all Israeli governments have consciously chosen to avoid or limit the use of this leverage considerably.

Records of the Israeli tax collection from 2010 through the end of January 2023, provided by the Finance Ministry in response to requests under the Freedom of Information law, show that only once, during that entire period, has Israel withheld the tax revenues, in response to the PA – as the “State of Palestine” – joining the International Criminal Court. Unfortunately, the measure lasted only a few months, after which Israel resumed transferring the income and even retroactively transferred the temporarily withheld income.

In 2018, Israel also adopted the “Law to freeze monies paid by the Palestinian Authority in connection to terror from the monies that Israel transfers to it” (*The Freeze Law*). The law was passed soon after the United States adopted the Taylor Force Act. Essentially, the Freeze Law penalizes the PA for its Pay-for-Slay policy.

According to the law, at the end of each year, Israel’s Minister of Defense prepares a report detailing how much the PA spent in the previous year on its Pay-for-Slay payments. The report is presented to the Security Cabinet, and after its approval, Israel then deducts from the tax revenues, in 12 equal parts, the sum stipulated by the Minister of Defense. Since the law passed, Israel has deducted and frozen a cumulative sum of almost 2.7 billion shekels.

In August 2021, just as it appeared that the Freeze Law would have a decisive effect, Israel’s Prime Minister, Minister of Defense, and Minister of Finance stepped in and provided the PA with a 500-million-shekel lifeline.

While the law has been successful in forcing the PA to make difficult decisions,¹⁹ it has yet to achieve its goal of forcing the PA to abandon its pugnacious program.

Since Israel provides the PA with the vast majority of its budget, in practice, Israel is assisting the PA to implement the very same policies that fundamentally breach both the letter and the spirit of the Oslo Accords.

The Palestinians, having realized that they could shirk all the commitments made in the Oslo Accords and continue to benefit from the free flow of funds from the Israeli government, the Palestinian leadership lost all interest in adhering to the Accords.

Ignoring Non-Compliance as a Recipe for Disaster

Under the Oslo Accords, Israel allowed the return of the PLO leadership to Judea, Samaria, and the Gaza Strip. Israel redeployed its forces from 40% of Judea and Samaria and, eventually, 100% of the Gaza Strip. On most occasions, Israel fulfilled its commitments, oblivious to or consciously ignoring the fact that the Palestinians were systematically breaching their obligations.

Far from inspiring or forcing Palestinian compliance, Israel's behavior created the perception, and to a great extent, reality, that it was no longer genuinely insistent on the Palestinians ever living up to their commitments. As this process developed from stage to stage and from milestone to milestone, Palestinian non-compliance grew in substance and nature. Incitement to violence and terror is still rampant in the PA. While Israel often prosecutes Palestinians for small-time incitement, as a general rule, the Palestinian leadership, which is often responsible for some of the most virulent incitement, has enjoyed de facto impunity.

Internationally-designated terror organizations responsible for the murder of thousands of Israelis not only operate freely in the PA-controlled areas but the PLO/PA also accepts them as legitimate Palestinian factions. When Israel arrests terrorists, the PA still pays them substantial monthly payments to reward their participation in terror. While the Oslo Accords creates an entity far short of being a state, the PLO/PA has declared the existence of the "State of Palestine," has gained United Nations Observer State status, and has joined scores of international bodies and conventions in which membership is limited to full-fledged states.

In practicality, the PA has now breached almost every single one of its commitments in the Oslo Accords. Israel's failure to demand compliance has allowed for the growth of Palestinian terror organizations and emboldened the Palestinian leadership to do whatever they please.

For almost 30 years, Israel has practically ignored the Palestinian leadership's malfeasance and refrained from using its considerable leverage to ensure PLO/PA compliance.

With the benefit of hindsight, Israel's approach has failed to achieve the desired effect. The PLO/PA enjoyed and continues to enjoy all the benefits of the Oslo Accords, including the substantial financial benefits, without paying any price.

If Israel and the PLO/PA maintain the appearance that the relations between them are guided, however loosely, by the Oslo Accords, Israel must re-evaluate how it conducts its relations with the PLO/PA and fundamentally change its behavior.

Notes

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18. The accepted criteria of statehood were laid down in the Montevideo Convention (1933), which provided that a state must possess a permanent population, a defined territory, a government, and the capacity to conduct international relations. Britannica, <https://www.britannica.com/topic/international-law/States-in-international-law>.
19. <https://palwatch.org/page/30607>.

The Palestinians Never Meant to Make Peace with Israel

Pinhas Inbari

The peace process with the Palestinians, known as the Oslo process, differed significantly from the two peace agreements that Israel signed with Jordan and Egypt. In contrast to those treaties with Arab states, the agreement with the Palestinians was deceitful on the PLO's part.

All acknowledge that the PLO violated the commitments it took upon itself in the Oslo Accords. It is essential, however, to know why it did so.

Egypt and Jordan sincerely wanted to make peace with Israel, seeking to improve their economies and their international status and to stabilize the common borders. The PLO, however, had completely different aims, and in retrospect, Arafat's innovation was to make the "peace process" a tool for continuing the struggle, including the armed struggle.

The PLO is an organization of refugees with their origins in Israel. Thus, for the PLO, the sphere of conflict does not pertain to the 1967 borders but to those of 1948. For that reason, Israel's goal of resolving the struggle in terms of the 1967 lines had no relevance for the refugees; ending the conflict meant realizing the so-called "right of return" and nothing else.

Israeli leftist political actors, such as the Meretz Party and Uri Avneri, regarded the 1967 lines as the future border between Israel and the Palestinian state.¹

But when Arafat's successor, Mahmoud Abbas, sought international recognition of the Palestinian state, he saw it as an intermediate objective that could help bring Israel before the international tribunals and delegitimize its existence. It would be the basis for arriving at the

1947 partition borders, leading to the complete elimination of Jewish sovereignty in the Land of Israel. Thus, in his most recent address to the United Nations, Mahmoud Abbas set Israel's borders at the 1947 lines,² essentially burying those of 1967.

In his speech, Abbas called to implement UN General Assembly Resolution 181 of 1947, which constitutes a basis for the two-state solution, along with Resolution 194, which, in the Palestinian interpretation, calls for the right of return. He also posed Israel's compliance with those resolutions as a condition for its acceptance by the UN. He asserted that because Israel had not complied with them, its membership in the world body was invalid. Here Abbas reiterated the narrative implicit in Arafat's speeches, namely, that the Palestinians have a right to the entire Land of Israel.

And why did Abbas call for a return to the 1947 partition borders? So that the refugees could be settled in the land envisaged for the Arab state in the partition plan – that is, in their original homes.

Like Meretz, then-Foreign Minister Tzipi Livni, in negotiations with the Palestinians, regarded the 1967 lines as the basis for a future border, though with land swaps that would grant the Palestinian Authority parts of the villages that straddled the 1967 lines, such as Beit Safafa and Barta'a. However, her interlocutor, Ahmed Qurei (Abu Ala), rejected the offer immediately,³ saying the residents of the villages would not accept those terms and, in general, that the PA would not agree to incorporate Arab villages located in Israel.

After that, as noted, Abbas designated the 1947 lines as the borders of the state of Palestine. What, then, was the difference between Tzipi Livni's proposal and Abbas's speech? The difference is that whereas Livni maintained that the permanent borders would be based on the 1967 lines – meaning that the Palestinian state would relinquish the villages abandoned in Israel and that the right of return, if implemented at all, would be implemented within the 1967 lines – Abbas's proposal means that the 1967 lines are not the basis for the Palestinian state, and the 1947 lines signal a right of return to the old domiciles within Israel itself, or that the lands of those villages will be part of the Palestinian state.

Thus, on one side, it was believed by Israel and the West that the 1967 lines constituted the basis for the peace agreement and that the Palestinians wanted a state on those lines. On the other side, however,

the Palestinians had a different objective, centered on realizing the right of return within Israel itself.

All this could be learned from Arafat's rhetoric and the terminology he inculcated in Palestinian society.

A look at his statements makes clear not only that, from the start, he had no intention of making peace with Israel but also that, in his conception, the Palestinian people would inherit Israel's legitimacy and replace Israel. His gaze was directed not at Jericho, Nablus, and Ramallah but at Jerusalem and Israel itself.

Arafat was a believing Muslim, imbued with the Koranic mindset. He made apt choices of Koranic verses. One that he often quoted at the beginning of his speeches refers to the *Muslim* prophets, whom he treated as a Palestinian asset:

We will certainly help our messengers and the believers, both in this worldly life and on the day the witnesses will stand forth. (*Sura Ghafir* – 51)

This may appear an innocuous verse, *but all the prophets are Jews, prophets of Israel*. Arafat Islamized them as a way of demanding that



Uri Avneri and Arafat in Beirut, 1982. (*Anat Saragusti/Uri Avneri Archives/CC BY-SA 4.0*)

the right to the land of the prophets be transferred to the Palestinians from the Jews.

We all remember his “Palestinian Jesus.”⁴

It turns out that not only Jesus but all the prophets of Israel became Palestinian Muslims, and the Holy Land belongs to the Palestinians.

Arafat also used quotations to underline the religious imperative of the right of return.

For example:

Permission to fight back is hereby granted to those being fought, for they have been wronged. And Allah is truly most capable of helping them prevail. They are those who have been expelled from their homes for no reason other than proclaiming: “Our Lord is Allah.” (*Sura Al-Hajj* – 39)

In other words, the Nakba was not a Palestinian disaster but a blow to Islam. It should be noted that this verse is usually brought as a justification for jihad, and Abbas, too, has used it implicitly in that context.

Thus, for Arafat, the sphere of the conflict is not the 1967 lines but Israel as a whole and Judaism itself. The conflict, moreover, is not just national but also religious.

A turning point in Arafat’s approach was meeting with Uri Avneri in besieged Beirut during the First Lebanon War. Imad Shakor, an Israeli Arab who joined the PLO, testifies that Avneri broached to Arafat the idea of the Palestinian state on the 1967 borders in this meeting. Until then, Arafat had seen himself as belonging to the pan-Arabism movement, and he envisaged the establishment of a Muslim empire rather than a specific Palestinian polity. Although the phased plan preceded this meeting, the meeting revealed Arafat’s essential position; as in the case of the phased plan, his agreement to the 1967 lines was tactical and aimed at recruiting Europe to his side. To this day, the Palestinian Charter does not mention any aim of establishing a state but of “the liberation of Palestine.”

Why, then, did Arafat accept Avneri’s proposal? It was not from any deep belief that dividing the land along the 1967 lines was the solution to the Israeli-Palestinian conflict; instead, Arafat saw a means to be

accepted in the West as a legitimate leader, as Avneri advised, and a tool to sow division in Israeli society.

According to Shakor, the purpose of the meeting was to help Arafat become an agreeable figure, a “partner,” whom Israeli public opinion could accept.

I discovered the truth about his firm belief in the legitimate rights of our Palestinian people, and Avneri was the first from whom I heard the term “independent Palestinian state alongside the state of Israel,” and that this is the only solution and is certain to be implemented sooner or later. He said he wanted to confront the Israeli racists and the Menachem Begin government so that we could present Arafat as a gentle and normal man who loves children and sanctifies life.⁵

Creating a rift in Israeli society around the “peace process” was also a lesson the Palestinians had learned from the experience of the Eastern Bloc. A senior Palestinian official, a graduate of a military academy in the Eastern Bloc, told me that among the subjects taught in those military academies was a lesson from the Vietnam War, which was not decided on the battlefield but in the massive demonstrations in the United States.

In his speeches, Arafat often described the Palestinians as a heroic people. Seemingly, it is to be expected that the leader of a revolution would refer to his people that way. However, a deeper look at the Islamic and Koranic context suggests an association with the spies Moses sent to spy on the Land of Canaan. They returned with the message that the land could not possibly be conquered, or in the Koran’s language:

They said, O Moses, there is an enormously powerful people there, so we will never be able to enter it until they leave. When they do, then we will enter! (*Sura Ma’idah Al – 22*).

In Arafat’s interpretation, the mighty people are the Canaanite Palestinians, who preceded the Israelites. Hence the legitimacy of the land in its entirety – not just Judea and Samaria – belongs to the Palestinians. In Abbas’s time, the Palestinians’ Canaanite status motif was further developed.⁶

A look at the Palestinian Declaration of Independence, proclaimed in Algeria on November 15, 1988, reveals that it echoes Israel's Declaration of Independence.

On the same terrain as God's apostolic missions to mankind and in the land of Palestine was the Palestinian Arab people brought forth. There it grew and developed, and there it created its unique human and national mode of existence in an organic, indissoluble, and unbroken relationship among people, land, and history.⁷

In other words, the Palestinian Declaration of Independence attributes all the qualities of Israel, as outlined in Israel's Declaration of Independence, to the Palestinians.

It should be noted that Arafat quickly abandoned the Algerian declaration, preferring to highlight the Nakba and the right of return.

Just as Arafat accepted Avneri's proposal as a tactical ploy, his successor Mahmoud Abbas adopted several tactical rules, which played down the armed struggle.⁸

In its stead, he promoted the popular struggle, which entails forgoing the use of firearms but without forgoing the strategy.

And what is the strategy? It involves passing the armed struggle on to the next generation since the current generation has failed in its mission,⁹ and its task is now to preserve the martial spirit. The next generation, educated on the values of the struggle, will then be able to carry the torch when its turn comes. Although it is hard to substantiate this point with references, the Palestinian Authority's actions speak for themselves. The insistence on paying stipends to the families of "martyrs" and on exalting the names of the prisoners who committed terror activities serves two purposes: to sustain the armed struggle, even in a limited form, and even when the official policy is to refrain from it; and to instill the armed struggle as a value in the next generation – particularly in the refugee camps, from which the refugees are supposed to realize the right of return to Israel proper.

Two years ago, in the Al-Aida refugee camp between Jerusalem and Bethlehem, I witnessed with my own eyes that when the classes ended, the students left the school with plastic rifles on their shoulders.

A further illustration that the Palestinian Authority is not interested in the 1967 lines but rather in the struggle against Israel, is the behavior of its foreign minister Riyad al-Maliki. He almost completely avoids dealing with Palestinian affairs – such as securing budgets from donor states or promoting the PA’s joint interests with foreign states, including Arab ones. Most Arab states, particularly Saudi Arabia and the Gulf States, do not receive him. There is only one thing that does occupy him: the diplomatic war against Israel. His sphere of interest is Israel proper, not the PA on the 1967 lines. He is often interviewed on *Radio Palestine*, and in a typical interview on January 8, 2023, he brought up his usual motifs: the struggle against Israel in the UN corridors and the UN agencies, the boycotting of Israel, getting it punished by the international community, and bringing it to trial in the international tribunals.

Sabotaging U.S.-Israel Relations

A further goal of the “peace process” was to undermine Israeli-U.S. relations.¹⁰

Those who forged the PLO’s ties with the United States were Israelis, and one who was painfully disillusioned was the former editor of *Al Hamishmar* and later editor of *New Outlook*, Chaim Shor. He wrote grim words about how the Palestinians misled him¹¹ – particularly Nabil Shaath, for whom he opened the door to the United States.

The Palestinians hoodwinked me personally and hoodwinked the whole Israeli left. They lied to us, they misled us, they maneuvered us, they manipulated us. I personally will never forgive them for it. And when Yossi Beilin says he has already reached a joint formulation with them on the right of return, then his charm collapses for me, because if he still does not understand what is happening here, then he is not really a man of the left. Because a real man of the left is a person who must see reality as it is, not as he would want to see it.

The Palestinians are not ripe for peace at this time, and my task as someone on the left is to see the truth. The left is not deception. I have met endlessly with Palestinians. In all the conversations, they said we would find the common denominator on the right-of-return issue, and

it never happened. They didn't mean it. All their words were part of the phased plan.

I was among those who opened the door to America for the PLO. We organized a conference of Israelis and Palestinians in Washington in '87, and the U.S. State Department didn't want to give them visas. We took care of that, and they got in and, with our help, conquered America. That was what they wanted, that was the goal, to conquer the goodwill of the American Jewish left. I personally invited them to home meetings with American Jews. They succeeded at that with our help. Without us, they would never have succeeded at it. Not only was that a mistake, but two or three years later, I saw that Nabil Shaath appeared before the public in Gaza and explained that it was a tactic. First, we will achieve this, and eventually conquer the whole Land of Israel. The same Nabil Shaath, who was my best friend in America and came to hug me and kiss me after I gave a speech in favor of peace... I realized that all his speeches were worth nothing. He didn't mean it.

An exact quote.

Notes

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%D8%A7%D9%86-%D8%B9%D8%B1%D9%81%D8%A7%D8%AA-%D9%82%D9%8A%D8%A7%D9%85-%D8%AF%D9%88%D9%84%D8%A9-%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86.

8. <https://www.alquds.co.uk/%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AE%D8%A7%D8%B1%D8%AC%D9%8A%D8%A9-%D8%A7%D9%84%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%8A-%D9%84%D9%80%D8%A7%D9%84%D9%82%D8%AF%D8%B3-%D8%A7%D9%84%D8%B9%D8%B1/>. In an interview to *Al-Quds al-Arabi*, PA Foreign Minister Riyad al-Maliki said the decision to forgo the armed struggle stemmed from the Palestinians' current circumstances.
9. <https://www.mekomit.co.il/%D7%94%D7%9E%D7%90%D7%91%D7%A7-%D7%94%D7%9E%D7%96%D7%95%D7%99%D7%9F-%D7%94%D7%A4%D7%9C%D7%A1%D7%98%D7%99%D7%A0%D7%99-%D7%A0%D7%9B%D7%A9%D7%9C-%D7%94%D7%90%D7%9D-%D7%96%D7%94-%D7%90%D7%95%D7%9E%D7%A8/>.
10. <https://www.alquds.co.uk/%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AE%D8%A7%D8%B1%D8%AC%D9%8A%D8%A9-%D8%A7%D9%84%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%8A-%D9%84%D9%80%D8%A7%D9%84%D9%82%D8%AF%D8%B3-%D8%A7%D9%84%D8%B9%D8%B1>. Riyad al-Maliki in an interview to *Al-Quds al-Arabi*.
11. <https://www.makorrishon.co.il/nrg/online/archive/ART/157/537.html> *NRG Maariv* (makorrishon.co.il).

Was Rabin Fooled by Arafat when They Signed the Oslo Accords?

Col. (ret.) Dr. Jacques Neriah

In one of my meetings with Arafat in Tunis, about two months after the signature of the Declaration of Principles (on the lawn of the White House in Washington), we spoke about the future of the negotiations. We dealt with the territorial dimension of the nascent Palestinian Authority (PA). To my dismay, Arafat told me that the future territory of the PA would stretch from Ein Gev in the north (on the eastern shore of the Sea of Galilee) to Ein Gedi (situated on the Dead Sea) in the south. Furthermore, he said that the hills overlooking Jericho (the Karantal Hills) were his, and he needed them to put “his antennas.” However, Arafat agreed magnanimously to allow Israel to put its antennas in the exact location. When I said this demand was utterly unknown to us, he replied, “Do you think I would have agreed to sign the Declaration of Principles?” Arafat added, “Abu ‘Alaa – his chief negotiator – had called him at night and said that the “Jews” were asking to keep the highway linking Jerusalem to the Dead Sea under their control. I agreed, knowing that the Israeli side had decided on the other issues!”

I could not believe my ears. Arafat was pointing at the territorial dimension of mandatory Palestine and claiming that Ein Gev was his as well as the whole territory extending from Jericho to Ein Gedi! I turned to my colleague, the assistant to the military secretary who accompanied me, and asked if he had written down all of Arafat’s interference. He answered in the affirmative! I knew at that time that I had triggered a land mine!

Back in Jerusalem, I briefed the Prime Minister about Arafat's position. Rabin did not believe what his ears heard. He asked me to check with our Ministry of Foreign Affairs. I received three pages regarding the meetings in Oslo. There was no mention whatsoever of Arafat's claims! Rabin listened to my investigation, but deep inside, I could see he did not believe me.

On the eve of the December 13, 1993, meeting in Cairo, I told Rabin we were running into a crisis because there was no way we could bridge our positions and Arafat's. Rabin insisted on keeping the summit on time. He even intended to propose to Arafat to meet in the United States at Camp David under the auspices of the United States to reach a final agreement on implementing the Declaration of Principles.

As it happened, Rabin met with Arafat alone, face-to-face. Ten minutes later, he came out of the meeting, red with anger and furious at having been taken in by Arafat's positions. Turning to the Israeli entourage, he said, "Jacques was right. Arafat really means what he said! Too bad I didn't meet with Arafat before the Oslo agreements were signed! I would not have signed them!"

In the plenary session, Rabin said there were some issues we disagreed upon and proposed to Arafat to meet after ten days to see if there was a way to overcome the hurdles. Rabin did not mean to meet Arafat. It was his way of telling the other side that he was not ready to continue the course of negotiations. Arafat would complain later that Rabin had promised to meet him after ten days, and he did not fulfill his promise.

If this was so, the question arises about several issues: Was Rabin "fooled" by Arafat or by his own negotiators who did not report Arafat's positions as expressed in his meeting with Rabin?

Rabin was not well-versed in the details of the understandings reached in Oslo. This was evident to me several times when I tried to clarify what had been said on the sidelines at Oslo and if, indeed, Arafat had been given the promises there that he brandished later when trying to get around obstacles. The ambiguity of the Declaration of Principles was both an advantage and a disadvantage. Because Rabin did not know Arafat's actual positions, he made a point of adding to the Declaration of Principles a protocol called the "Agreed Minutes" that became an integral part of the document. He was known to say that if not for this protocol,

the Declaration of Principles would have become a “national disaster.” Indeed, in hindsight, one cannot know what would have happened if Rabin and Arafat had met before the document was signed. More gravely, after the failed summit with Arafat in December 1993, Rabin was furious at having been taken in by Arafat’s positions.

Looking at my work with Prime Minister Yitzhak Rabin from the perspective of years, I try to understand how things happened. Did Rabin take the Palestinian track willingly, or was he swept into the diplomatic whirlpool that his foreign minister, Shimon Peres, had created?

My work with Rabin leaves me with no doubt that he was aware of the contacts being held in Oslo but not aware of the fine details of the understandings that were presented there, and he did not seem to have assigned enough importance to those understandings. To his chagrin, the Israeli political system was replete with political figures and academics trying their hand at independent contacts with PLO officials – something that yielded no results except for bits of gossip and information about the atmosphere prevailing in Yasser Arafat’s court.



(Left to right) Prime Minister Yitzhak Rabin, PLO Chairman Yasser Arafat, and Foreign Minister Shimon Peres (*Saar Yaacov/GPO*)

The question remains as to why Rabin stubbornly proceeded with the negotiations. In my view, there are several answers to that riddle:

Already in 1992, when he became prime minister for the second time, he expressed great and genuine apprehension about what he called a “binational state.” Rabin also felt he was endowed with the leadership ability his predecessors lacked. He saw himself as a path-breaker who would not just point the way but convince the Israeli public that his approach was right and would fulfill the dream of every Israeli who desired to live in peace. There was also a point that the only peace agreement signed between Egypt and Israel was concluded by the right-wing Likud party, headed by Menachem Begin. Rabin wanted to be remembered as another “peace-maker” and as the one who ended the Israeli-Palestinian conflict.

In August 1993, a senior Palestinian figure told Egyptian Ambassador Mohammed Bassiouni that “Israel is the one now providing oxygen to the PLO” and that otherwise, the PLO would have died from a lack of resources: its institutions were collapsing, and Arafat’s leadership was being undermined.

This information elated Rabin. In those days, the prevailing feeling was that no settlement could be reached with the Palestinians, and that was presumably how Rabin regarded the group conducting the talks in Oslo until it turned out real progress had been made. From Rabin’s standpoint, the Oslo talks met two of the three conditions he had stipulated for the success of any negotiations with an Arab actor: nothing had leaked from them, and they were being held with a separate Palestinian delegation. However, they were not conducted under American sponsorship but with Norwegian assistance. This replicated the relationship Moshe Dayan had forged with Egyptian General Tuhami in Morocco on the way to the Camp David Accords.

The nature of Rabin’s personality, his obsessive suspicion, the compartmentalization he practiced, his low esteem for intelligence assessments, his tense relations with the chief of Military Intelligence, and the fact that no one knew about the negotiations being held in Oslo – all this encouraged him to continue his policy of concealment. There was, however, one fundamental difference: when he learned that the contacts had led to an agreement on a Declaration of Principles, Rabin hastened to add the legal adviser of the Foreign Ministry, Joel Singer, to

the talks and told him to get involved in ironing out the terms. By then, though, the Declaration of Principles had already been signed, and there was very little left to do but give one's blessing to a done deal.

Rabin: A “Reversible Agreement”

On the Friday before the signing of the Oslo agreements at the White House, the prime minister explained that, unlike peace agreements with Syria and other countries, the deal with the Palestinians was reversible. He reiterated that Israel could always return to the territory it was supposed to hand over to Arafat without risking an all-out, onerous war. This may have been his way of persuading his opponents to adopt his approach to the Palestinians. But the reality that emerged after 1993 proved that there was already no way to go back to the situation that had prevailed in the territories after the Six-Day War.

A primary reason must have been Rabin's reluctance to return to the Israeli public and world opinion and declare he was pulling back from the agreement with the Palestinians. Rabin's government leaning on a fragile majority of one Knesset Member would not have survived such a position that would have undermined his credibility as a leader. Furthermore, such a declaration would have been used by his Foreign Minister, Shimon Peres and his eternal rival, who would have taken advantage of Rabin in the Labor Party.

Finally, Rabin did not consider Arafat's positions as threatening, and to put it mildly, Rabin did not give them any importance as long as he knew that Israel's positions were recognized and accepted. Arafat could claim whatever he wanted. There was no way Rabin would accept his whims. The campaign he initiated after the failure of the summit with Arafat and the positive feedback he received from world leaders, the United States, and some of the Arab countries led him to believe that Israel's real protection against Arafat's “fantasies” was the addendum to the Declaration of Principles, called “Agreed Minutes,” counter-signed by Arafat, which – as mentioned above - was his direct and most significant contribution to the Accords and was there to preserve Israel's interests.

Between Rabin and Arafat, there was no love lost, and the romantic attempt to depict a genuine friendship with Arafat had no basis in reality.

It was no more than a cold convergence of interests between two leaders, each with his own agenda. Rabin spoke of separation and peace, not about the legitimate rights of the Palestinian people. Until his last day, he remained to the depths of his soul a general who held a sword, but he was certainly prepared to try the diplomatic channel. Rabin did not call for establishing an independent Palestinian state alongside Israel and definitely not on the 1967 borders. He spoke of a political entity – a little more than an autonomy and less than a state – that would be obligated by federative or confederative agreements with Israel and Jordan.

Looking back at the whole Oslo process, would Rabin have signed it today as he told his entourage in December 1993, knowing the consequences of two “intifadas” on the Israeli public, the corrupt and fractioned Palestinian Authority, the emergence of Hamas and the Islamic jihad in Gaza, the subversive activities of Iran and Hizbullah in Gaza and Judea and Samaria, the several military encounters with Hamas and the Islamic Jihad, and the thousands of rockets and incendiary balloons which landed in Israel, destroying buildings and burning crops?

Rabin was, first and foremost, a military man. He would not have hesitated to use the IDF to quell any uprising. His most significant error was to have let Peres and his team (of urbane, non-military “Blazers,” as they were nicknamed) lead him to an impossible situation and make him believe that genuine reconciliation was possible. On the first day of his arrival in Gaza, Arafat’s convoy was stopped: Arafat had in his car’s trunk three wanted terrorists. A few days later, a search in one of the planes that landed in the Dahaniyya airport, specially prepared to allow the Palestinians a direct link with the outside world, found a cache with unauthorized weapons smuggled to the Gaza Strip. Rabin should have known that Arafat would try every trick in the book to fool Israel. After the PLO was defeated in Lebanon by the IDF at the cost of hundreds of lives, ironically, Rabin was the one who opened the door of the territories to Arafat, mistakenly believing that the PLO leader had come to terms with the existence of Israel as a Jewish independent state.

The Palestinian Authority's Influence on the “Arab Street” in Israel

Yoni Ben Menachem

Since the Oslo Accords were signed in September 1993, Israeli governments have pursued a policy of containment toward the Palestinian Authority (PA), which has blatantly violated the Accords. This policy, which the Palestinians and the Israeli Arabs see as reflecting Israeli weakness and dependence on the PA, affects the Israeli Arab sector's commitment to the narrative of the Palestinian struggle and its attitude toward law and order. It has also helped to impair governability and ignited two waves of violence in the Arab sector, each of which was, at the time, unprecedented since Israel's establishment.

The formation of Israel's new conservative government offers a golden opportunity for a change in policy toward the PA and Hamas and their influence over the Israeli Arab street, aiming to restore governability and impose law and order.

Israeli Arab Violence

The effects of the two fierce waves of Israeli Arab violence continue to the present. The first wave occurred in October 2000, when 13 Israeli citizens (12 Arabs and 1 Jew) were killed. It corresponded with the second intifada.

The second riots, in May 2021, accompanied *Operation Guardian of the Walls*. In those disturbances, 13 Israeli citizens were killed. The

common denominator of these two severe outbreaks of violence is that events in east Jerusalem and on the Temple Mount were the detonators.

An investigation of the rioting shows that the PA and Hamas have turned the Temple Mount issue and the mendacious “Al-Aqsa is in danger” canard into their main engines for inciting the Israeli Arabs against the state.

The incitement is conducted in the Palestinian education system, mosques, official media, and social media.

On the eve of Ramadan 2023, there was growing concern that the Palestinian Authority and Hamas would again use the Temple Mount issue to incite the Israeli Arabs. National Security Minister Itamar Ben Gvir announced the apprehension of a “Guardian of the Walls II” outbreak in the Arab sector and the mixed Muslim-Jewish Israeli cities and that the police were preparing accordingly. Eventually, despite growing tension and incitement and some escalation, there was no major outbreak of violence.

May 2021: Israeli Arabs Identified as Palestinian

As the Israeli Arabs see it, what happened in May 2021 was a spontaneous eruption, aimed less at protesting injustice and inequality in Israeli society and more at emphasizing that their national identity is Palestinian rather than Israeli, despite the Israelization phenomenon in the Arab society. They also view the outbreak as highlighting their inseparable affiliation with the Palestinian people and their link to the Al-Aqsa Mosque.

As a direct lesson from the violent events of May 2021, Israel is now establishing a National Guard to help restore governability in the Arab sector and deal with widespread disturbances, including in the mixed Jewish-Muslim cities.

Some members of the Israeli Arab leadership have also helped encourage the violence through rabble-rousing statements in the media. Parliamentary whip and Member of Knesset Ofir Katz is now promoting a bill to disqualify Arab members of the Knesset who support terror. Statements favoring terror or an individual terrorist would constitute sufficient cause to bar running for the Knesset.

Meanwhile, the Bedouin residents of the Negev are marking a whole year since the “Negev uprising” (*habat al-nakab* in Arabic) against a tree-planting ceremony by the Jewish National Fund, and some are preparing for a further confrontation in light of the new government’s aim of imposing law and order.

The Situation in the Arab Society at Present

Many members of the younger Israeli Arab generation continue complaining about discrimination, deprivation, hate, and frustration over what they perceive as racism toward the Arab sector and meager budgets for tackling crime and social problems. There is still intense anger over the Israeli establishment’s intention to fight illegal construction while neglecting the issues of violence, crime, and illegal weapons.

The exclusion of the Arab Ra’am Party from the current coalition has exacerbated the fear that, instead of addressing the fundamental problems of the Israeli Arab sector, a process that Ra’am spearheaded as a coalition member of the Bennett-Lapid government, the new



Ahmed Tibi and Yasser Arafat (*Ahmed Tibi/Facebook*)

government will neglect the issue despite Prime Minister Netanyahu's promises.

According to media reports, Netanyahu aims to funnel a sum of NIS 30 billion to the Arab sector – compared to the NIS 53 billion that the previous government allocated to it.¹

Overall, the Israeli Arabs feel uncertain whether the new government will continue implementing the previous one's policy toward their sector.

The government approved a five-year NIS-30-billion (2022–2026) economic plan to close the shortfalls in the Arab society. It envisaged a series of housing, health services, employment, innovation, and high-tech measures.

It also approved a multiyear (2022–2026) plan to tackle crime and violence in the Arab society. This plan was budgeted with NIS 2.5 billion, and its goals were to break up the crime organizations; reduce crime and violence; curtail illegal weapons; enhance the sense of security of both Arab and Jewish citizens; bolster the Arab sector's trust in the law enforcement system; and more.

In the Arab society, a sharp conflict continues between, on the one hand, Palestinian national identity and, on the other, Israeli identity and loyalty to the state.

Although, since the May 2021 events, quiet has prevailed in the Arab sector, it is an illusory quiet. Under the surface, the resentments simmer and threaten to erupt anew, especially in the mixed cities where the friction between Jews and Arabs is considerable.

There is great apprehension in the Israeli Arab sector over the appointment of Itamar Ben Gvir, head of the Otzma Yehudit Party, to the post of national security minister in light of his election campaign declarations to restore governability to the Negev and fight crime in the Arab sector. Those fears intensified with Ben Gvir's visit to the Temple Mount on January 3, 2023, and assertions about changing the status quo on the Mount. There is concern that his policy will ignite a new spate of disturbances in the Arab sector and the mixed cities.

On January 9, 2023, the National Committee of Heads of Arab Local Authorities stated in a letter to Prime Minister Netanyahu: "It is hard for us to see how we can work effectively with the new national security minister, given his racist positions toward the Arab sector and the total

and deep mistrust between the Arab sector and the minister and his office.”

The local authority heads warned that Ben Gvir had been granted policy prerogatives and powers with great potential to harm the Arab sector, such as transferring the Israel Lands Authority to his purview, possible change of open-fire orders, and allowing the Shin Bet security agency to operate in the Arab communities, which could help the minister to implement his hardline agenda for the Arab society. The local authority heads clarified that “these measures could certainly lead to events involving loss of control in the Arab communities.”

Ben Gvir, on the other hand, repeatedly iterates his commitment to fighting crime in the Arab society, so far to no avail, as the numbers of murders among Israeli Arabs keep growing.

Israeli Arabs’ Potential for “Resistance” as Seen by the PA and Hamas

As the new Israeli government took shape, PA Chairman Mahmoud Abbas formulated a new “roadmap” for the struggle against it. This plan calls for “popular resistance” and international diplomatic and media activity against Israel.

Central to the plan are the diplomatic and media efforts against the Netanyahu government, which is portrayed as a racist entity pursuing a policy of apartheid. The project was presented to the tenth conference of the Fatah Central Committee at the start of December 2022.

PA officials say that the PA will use the new conservative government’s attitude toward the Israeli Arabs to vilify it internationally.

The PA maintains tight ties with the Israeli Arabs. Senior PA officials confer with Arab-sector leaders who make pilgrimages to the Mukata headquarters in Ramallah for meetings with the PA chairman and participate in events of the Palestinian leadership, such as the convening of the PLO Executive Committee.

The first PA chairman, Yasser Arafat, used the services of the Israeli Arabs in crafting his strategy toward Israel. In August 1993, he appointed Dr. Ahmed Tibi, from Taibe and a Member of the Knesset,

as his adviser on Israeli affairs. In 1998, Tibi also served as spokesman for the Palestinian delegation to the Wye Plantation Summit.

The Israeli Arabs' Higher Monitoring Committee maintains a very close relationship with the PA, primarily via the head of the committee, Mohammed Barakeh, who often visits Ramallah and participates in official PA and Fatah events.

The Cities of Israel organization, which was set up after Operation Guardian of the Walls by Jewish residents of mixed cities, claims that the violent events of May 2021 were not spontaneous and that it was the Higher Monitoring Committee, in whose framework the Arab parties and local authorities operate, that organized the actions on the ground, encouraged the rioters, and promised them legal assistance.²

In addition, there is a free flow of Israeli Arabs to PA-controlled areas and the Temple Mount for prayers. They go there for academic studies (thousands of Israeli Arab students attend PA universities), family visits, and shopping. The city of Jenin, in particular, with its low prices, has become a large weekend shopping center for Israeli Arabs.

Thousands of Israeli Arabs come to Jenin each week, and they are affected by the sentiments afoot in the city, which has become the "terror capital" of the West Bank.

To avoid harm to the city's economy, the defense establishment does not restrict Israeli Arabs' entry to Jenin, where their purchases are one of the residents' primary sources of income.

The PA's glorification of terrorists also extends to Israeli Arabs involved in terror. Alongside its policy of paying salaries to terrorists serving prison sentences in Israel and stipends to families of those killed or wounded in the Palestinian struggle against Israel, the PA also pays salaries to Israeli Arabs who engage in terror (indeed, they and east Jerusalem Arabs get slightly higher wages than West Bank and Gaza Arabs). The reward incentivizes Israeli Arabs to commit terror attacks.

Recently, the PA and Abbas's special regard for Israeli Arab terrorists was evidenced by the release from prison of the terrorist Karim Yunis, a resident of the Israeli town of Ara who in 1980 murdered IDF soldier Avraham Bromberg.

Abbas called Yunis on the phone to congratulate him on his release and told him: "The prisoner issue is a sacred issue, and we will work together to liberate the prisoners and the homeland. We await the release

of Marwan Barghouti and Maher Yunis to celebrate their freedom, and we will get all the prisoners out of the Israeli detention camps.”

The special relationship between the PA and Karim Yunis is a further and dangerous indication of the PA’s support for terror activity by Arabs who are Israeli citizens.

In 2014, Yunis was one of a group of security prisoners who had perpetrated terror attacks before the Oslo Accords and whose release the Palestinians, in the negotiating process with Israel, demanded as part of the fourth stage of freeing terrorists from Israeli prisons. Prime Minister Netanyahu opposed releasing Yunis, and the negotiations ended.

In 2017, Abbas appointed Karim Yunis as a Fatah Central Committee member. He was named a representative of the security prisoners alongside Marwan Barghouti, thereby demonstrating that the PA views Israeli Arab terrorists who belong to Fatah as an integral part of that organization and its leadership despite being Israeli citizens who are supposed to be loyal to Israel.

Although Netanyahu’s office condemned the appointment, no concrete reaction was taken, and the PA chairman did not rescind it.

The Oslo Accords stipulate that the PA must fight terror and not encourage it. The appointment of an Israeli citizen, who took part in terror attacks and murdered an IDF soldier, to a Palestinian leadership



Israeli Arabs shopping in Jenin, June 2021. (Screenshot/al-Ghad TV)

post is a PA gesture of contempt toward Israel (and a violation of the accords).³

In addition, the PA operates a radio station for Israeli Arabs whose messages fit the narrative of the Palestinian struggle.

The Israeli Arab leadership sees itself as representing an essential part of the Palestinian people, known as “the Inside” or the “Arabs of ‘48” in Arabic, and as a primary side of the triangle that includes the Israeli Arabs, the West Bank Palestinians, and the Gaza Palestinians.

A senior Israeli Arab source told me that the task of the sector’s leadership is to return the Arabs of the “inside” to the fold of the Palestinian people and, after the establishment of the independent Palestinian state on the 1967 lines, to declare the Israeli Arabs’ autonomy, and later perhaps even to merge with the Palestinian state and augment Israel’s isolation.⁴

Most Israeli Arab leadership opposes normalization between Israel and Arab countries before reaching an Israeli-Palestinian political settlement. It opposes the idea of a land swap or a population exchange, as Avigdor Liberman proposed some years ago. Many believe that “the Oslo Accords have died” and that they only diverted the Palestinian struggle from its course. They support “armed resistance” against “the Israeli occupation” and claim it is anchored in international law.

Ostensibly, many Israeli Arab leaders promote a strategy according to which their role is to contribute “nonviolent resistance” to the PA’s and the Gaza organizations’ “military struggle” against Israel. But in practice, such “protest” may well take the form of widespread riots in the Israeli Arab communities, as well as the blocking of main roads to disrupt life in the Jewish sector and prevent military and police forces from reaching riots in the mixed cities such as Ramle, Lod, Haifa, Acco, and others. Most Israeli Arabs view these as Arab towns conquered during the Nakba in 1948 and whose Jewish residents are “invaders.”

Conclusion

In my assessment, the weak policy toward the PA is seen as Israeli irresolution and was also evident in the lack of preparation and timidity toward the riots during Operation Guardian of the Walls, which

encouraged the Israeli Arabs' audacity and could lead to problematic scenarios in future clashes. The Israeli leadership, therefore, needs to demonstrate a tough line toward the PA and Hamas.

For example, in August 2021 then-defense minister Benny Gantz approved a set of confidence-building measures for the PA that included a loan of half a billion shekels, the adjustment of the status of 3,000 Palestinians who lacked a Palestinian identity card, and approval for Palestinian building plans in Area C. These mitigations, which were offered against the backdrop of the PA's incitement during events that preceded Operation Guardian of the Walls, seemed to the PA and to the Israeli Arabs to indicate Israel's dependence on the PA and hence its weakness, emboldening them to continue in their course.

At the same time, Israel needs to continue its "separation policy" between Gaza on the one hand and Judea and Samaria on the other, thereby obstructing the tripartite relationship that the Israeli Arab leadership wants to create with the PA on the West Bank and the Palestinian factions in Gaza.

In light of the events in the Arab sector and the mixed cities in October 2000 and May 2021, Israel must adopt a deterrent security policy that lays down red lines.

This includes legislating harsher punishments for disturbing the peace, blocking roads, throwing stones and firebombs, and incitement.

Legislation is also needed to strip Israeli Arabs convicted of terror of their citizenship and to enable their expulsion abroad or to Gaza. A law recently passed by the Knesset addresses this issue but is conditional on these terrorists requesting a salary from the PA.

In this context, an important measure was the outlawing in 2015 of the Northern Branch of the Islamic Movement headed by Raed Salah, after it engaged in incitement and repeatedly voiced the deceitful slogan "Al-Aqsa is in danger." But that measure is insufficient; the Northern Branch continues to engage in well-honed incitement, aided by legal counsel, that fans the flames of the "Al-Aqsa is in danger" narrative. It also incited the May 2021 riots in the mixed cities and must be dealt with more firmly.

Notes

1. <https://www.inn.co.il/news/587624>.
2. <https://www.maariv.co.il/journalists/Article-947841>.
3. <https://www.news1.co.il/Archive/0026-D-158375-00.html>.
4. <https://www.idi.org.il/articles/14305>.

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30 years later, the Oslo Accords have not materialized as their proponents had hoped. The scholars and analysts at JCPA, who have scrutinized the unfolding of this diplomatic process over three decades, have written a series of articles evaluating Oslo's failures. *The Oslo Accords at 30: Lessons Learned* compendium concludes with an assessment of the possibilities for a requisite change of direction.



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