



Analysis of the Palestinian National Accord (the “Prisoners’ Document”)

The Prisoners’ Document, published on May 10, does not endorse a two-state solution, maintains that terrorism is a legitimate option, undermines the necessary conditions for peace, and violates the requirements and tenets of the Oslo Accords, the Road Map, and the Quartet’s conditions for support for the Palestinian Authority. It is certainly not a “peace plan,” as some media report.

Prime Minister Ehud Olmert has said:

They don't even mention the State of Israel, they don't even refer to the right of Israel to exist as a Jewish state, and they insist on the right of return which is the almost automatic, outright destruction of the State of Israel. So why should I accept something that challenges the very fundamental principles of Israel's existence to become a basis for some improvement? The referendum is an internal game between one faction and the other. It is meaningless in terms of the broad picture of chances towards some kind of dialogue between us and the Palestinians.

Following are some key elements from the document.

One-State or Two-State Solution

The document begins with an affirmation that “[t]he Palestinian people at home and in exile seek to liberate their land,” then, in the same sentence, claims a Palestinian “right to establish an independent state with Jerusalem as its capital on all the land occupied in 1967,” while also asserting “our people’s historic right in the land of our ancestors.”

Nowhere in the document is Israel explicitly recognized or a two-state solution advocated, nor are any conditions listed for an end to the conflict and a permanent peace. The document thus appears to adhere to the PLO’s 1974 “strategy of stages” to establish an independent state in the West Bank and Gaza as a base from which eventually to conquer the State of Israel.

Terrorism

The document’s language supports the use of terrorism. It affirms a “right to resistance and upholding the choice of resistance by all means, and concentrating the resistance in territories occupied in 1967, alongside political action and negotiations and diplomatic work ...” The terms “right of resistance” and “by all means” have been recognized as codes for terrorism,

and here are specifically juxtaposed with non-violent “political action.” “Resistance,” as a key component of their political vision, is mentioned fifteen times in the document.

Contrary to many media reports, the document does not restrict terror attacks to the West Bank, but explicitly calls for “continuing popular resistance against the occupation in all its forms, places and policies.” This call contrasts with the document’s warning against a Palestinian civil war due to “the sacredness of the Palestinian blood.” Similarly, the document does not call for an end to the abuse of children in attacks against Israelis, but rather for “banning the use of weapons between the children of the same people.”

Despite the Road Map’s demand for the Palestinian Authority to dismantle terrorist groups, the Prisoners’ Document calls for the opposite – for the Palestinian Authority’s security forces to “coordinate and organize the relation between the forces and resistance [i.e. terrorist] groups, and to organize and protect their weapons.”

Right of Return

“Return” of Palestinian refugees is mentioned six times as a fundamental Palestinian right and political goal. Paragraph 9 elaborates on the question of return and cites Resolution 194, which implies that “return” refers to the resettlement of Palestinian refugees and their descendants in pre-1967 Israel, rather than in a Palestinian state. This demand is rejected by Israeli parties across the political spectrum as incompatible with the existence of Israel as a Jewish and democratic state, and its strong and repeated affirmation undermines the chances for a negotiated peace.

International Resolutions

International resolutions are accepted selectively, using the phrase, “international resolutions fair to our people.” There is no mention of UN Security Council Resolution 242 or any other UN resolution that implies recognition of Israel. The document specifically supports only UN General Assembly Resolution 194, upon which the Palestinians base their claim to a “right of return.” The document refers to “the U.N. Charter, international law, and what international legitimacy guarantees” only in reference to the Palestinian demand for self-determination and the establishment of a Palestinian state. The Oslo Agreements and the Road Map are not mentioned, and their conditions are implicitly rejected by the failure to explicitly recognize Israel, the legitimization of terror, and the non-recognition of relevant Security Council resolutions.

Palestinian Prisoners

The document demands the release of all Palestinian prisoners, including convicted terrorists and murderers, as “a sacred national duty.”

The United States

The United States and Israel are mentioned together and condemned for “the unjust siege on our people.” The European Union is not mentioned, even though it adheres to the same policy of not financially supporting the Hamas-led Palestinian Authority until it accepts the Quartet’s

demands to recognize Israel, to renounce violence, and to accept previous agreements with Israel.

The Authors of the Prisoners' Document – Five Terrorists.

Marwan Barghouti, Fatah – Convicted in May 2004 for the murder of five Israelis in three separate terror attacks and on several counts of attempted murder. Suspected of involvement in over thirty other murders. Serving five consecutive life terms.

* Sheik Abdel Khaliq al-Natsche, Hamas – Financier for Hamas terror attacks.

* Sheik Bassam al-Saadi, Palestinian Islamic Jihad – Financier for PIJ's terror cell in Jenin.

Abdel Rahim Malouh, PFLP – A high-level leader of the Popular Front for the Liberation of Palestine, involved in the 2001 murder of Israel's Minister of Tourism Rehavam Zeevi.

Mustafa Badarne, DFLP – Terrorist recruiter for the Democratic Front for the Liberation of Palestine

* Natsche and Saadi withdrew their signatures from the document on June 11 to protest President Abbas' decision to hold a referendum on it.