

The Amendment of the Palestinian National Charter

Letter from Palestinian Authority President Yasser Arafat to Prime Minister Shimon Peres

May 4, 1996

Mr. Shimon Peres
Prime Minister of Israel

Dear Mr. Peres,

I convey my best wishes to your excellency, and I would like to convey to you the recent historic resolution adopted by the Palestinian National Council at its 21st session held in Gaza city.

As part of our commitment to the peace process, and in adhering to the mutual recognition between the Palestinian Liberation Organization and the Government of Israel, the P.N.C. was held in Gaza city between 22-25 of April 1996, and in an extraordinary session decided that the Palestine National Charter is hereby amended by cancelling the provisions that are contrary to the letters exchanged between the P.L.O. and the government of Israel on 9/10 Sept. 1993.

Please find enclosed copies of the official Arabic and English texts of the P.N.C.'s resolutions.

We remain committed to the peace process.

Gaza: 4/5/1996

Yasser Arafat
Chairman of the Executive Committee of Palestine Liberation Organization
President of the Palestinian National Authority

OFFICIAL TRANSLATION

The Palestinian National Council, at its 21st session held in the city of Gaza,

Emanating from the declaration of independence and the political statement adopted at its 19th session held in Algiers on Nov. 15, 1988, which affirmed the resolution of conflicts by peaceful means and accepted the two states solution,

And based on the introduction of the Declaration of Principles signed in Washington D.C. on 13 September 1993, which included the agreement of both sides to put an end to decades of confrontation and conflict and to live in peaceful coexistence, mutual dignity and security, while recognizing their mutual legitimate and political right,

And reaffirming their desire to achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process,

And based on international legitimacy represented by the United Nations Resolutions relevant to the Palestinian question, including those relating to Jerusalem, Refugees and Settlements, and the other issues of the permanent status and the implementation of Security Council Resolutions 242 and 338,

And affirming the adherence of the Palestine Liberation Organization to its commitments deriving from the D.O.P. (Oslo 1), the provisional Cairo Agreement, the letter of mutual recognition signed on 9 and 10 September 1993, the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo 2) signed in Washington D.C. on 28 September 1995, and reconfirm the resolution of the central Council of the P.L.O. adopted in October 1993, which approved the Oslo Agreement and all its annexes,

And based on the principles which constituted the foundation of the Madrid Peace Conference and the Washington negotiations, decides:

1. The Palestinian National Charter is hereby amended by canceling the articles that are contrary to the letters

exchanged between the P.L.O. and the Government of Israel 9-10 September 1993.

2. Assigns its legal committee with the task of redrafting the Palestinian National Charter in order to present it to

the first session of the Palestinian central council.

Included among the Israeli prime minister's list of current conditions for implementing further redeployments from the West Bank, as agreed, is the demand that the Palestine National Council be convened in order to nullify the articles of the National Charter which refer to Israel's destruction.

In April 1996, the Palestine National Council met in a special session in Gaza City, for the first time on Palestinian territory, with the top item on the agenda being the need to amend the National Charter. Such an amendment can only be authorized by a two-thirds vote of the Council; some key members such as Farouq Qaddoumi, boycotted the session to protest against changing the Charter. However, ultimately the abrogation of certain sections was approved and the matter of drafting amended sections was passed to the PNC's legal committee.

On three different occasions, the Palestinian Authority president has handed over a formal letter certifying the abrogation of specific articles of the Charter: once to then Israeli prime minister Shimon Peres; once recently to Derek Fatchett, minister for foreign affairs for Britain in its capacity as president of the European Union; and once to US president Bill Clinton in late January. On all three occasions, Palestinian fulfillment of their commitment to abrogate parts of the Charter was declared satisfactorily fulfilled.

Twelve articles have been entirely annulled, along with sections of an additional 16.

In his letter to secretary of state Albright, Arafat specified the articles, which had been fully abrogated, emphasizing that they would not be present in any future official printing of the Charter. Those fully nullified are articles: 6-10, 15, 19-23, and 30. The articles, which have been nullified in part, are: 1-5, 11-14, 16-18, 25-27, and 29.

However, no redrafted Charter has yet emerged, and the PLO executive committee meeting did not ratify the letter from Arafat to Clinton, which specified the amendments to the Charter. On the basis of this, the Israeli government is calling for the Palestine National Council to convene, stating that amendment of the Charter has not taken place. Palestinians feel that their obligation was to abrogate those sections of the Charter, which call for the destruction of Israel " and that this obligation has been fulfilled. Furthermore, they feel that this fulfillment having been recognized by the government of Shimon Peres, this current Israeli government has no right to demand a say in what should replace the voided sections, particularly since the Palestinians had every right to expect quid pro quo " a similar Israeli fulfillment of their contractual obligations under the Oslo Accords.