



# **Back to Basics: The Evolution of the Palestinian UN Campaign**



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## Table of Contents

<b>Executive Summary .....</b>	<b>2</b>
<b>The Road Back to the UN .....</b>	<b>4</b>
<b>How the Policy was Formed .....</b>	<b>7</b>
<b>The Roots in 1974 .....</b>	<b>7</b>
<b>The 1988 Debate .....</b>	<b>9</b>
<b>The 2009 Technical Foundation .....</b>	<b>11</b>
<b>The Political Decision .....</b>	<b>14</b>
<b>How was it Perceived in Ramallah .....</b>	<b>17</b>
<b>Dissolving the Palestinian Authority? .....</b>	<b>17</b>
<b>Fayyad, Internal Dissent, and Institutional Constraints .....</b>	<b>18</b>
<b>What is Next for the UN Campaign? .....</b>	<b>19</b>
<b>Conclusion .....</b>	<b>21</b>
<b>Acknowledgments.....</b>	<b>22</b>
<b>About the Author .....</b>	<b>22</b>
<b>About Mitvim.....</b>	<b>23</b>
<b>Timeline of Events .....</b>	<b>24</b>
<b>Selected Bibliography and Further Reading .....</b>	<b>25</b>

## I. EXECUTIVE SUMMARY

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In the wake of the Palestinian UN campaign, many asked: ‘*why?*’ Why the sudden change in a decades-long process, why the abandonment of the bilateral process, why the confrontation on the international stage? Few, however, were asking ‘*how?*’ How was the process formed, how did this campaign gain momentum, how was it assessed in Ramallah? For the Palestinians, the UN campaign wasn’t so much a unique political anomaly as it was the resumption of a process they abandoned years ago in favor of bilateral negotiations. In the breakdown of viable negotiations in 2009 and 2010, resuming this process became the only realistic option. Their justification of this campaign, then, rested in the history they had at the UN with the international community.

If the Israeli government described the campaign as a unilateral act because it threatened the framework of Oslo, and the Palestinians described it as a multilateral act because it engaged multiple countries at the UN, then the truth was somewhere in between. In reality, it was a hybrid approach, a reconciliation of an emerging, holistic strategy growing within the Palestinian leadership that advocated internationalization. As a contingency plan, the UN campaign would form the spearhead of this internationalization track.

Palestinian leaders describe the UN campaign as only the most recent manifestation of an internationalization tactic that started in 1974 with the PLO’s ten-point plan, a manifesto designed to rally the resistance around a cause, but one that also acknowledged several political developments, leaving the PLO with maneuverability in the future. It was in 1974 that the PLO was first granted observer status at the UN, a process that evolved further in the 1980s, when the Lebanon—and later,

Tunisia—based PLO leadership began modifying their positions regarding diplomacy and the realization of a Palestinian state alongside an Israeli state. This resulted in a heated debate in 1988 that divided the PLO: if the overall goal is a two-state solution, how best, then, to achieve this state? Within this debate two schools of thought emerged: those that argued in favor of going to the UN for recognition, and those that opposed. Those in favor argued the importance of gaining international recognition, of elevating the status of the PLO, of gaining legitimacy in representing the Palestinian cause. Those opposed raised several questions, namely what would become of the refugee issue and how would a liberation movement conform itself to the norms of the international community. By the time of the Palestinian declaration of independence at the end of 1988, the decision had been made in alignment with the latter, and the Palestinians compromised by applying as an entity to the UN in order to upgrade the PLO’s observer status.

Yet the history of the Palestinians at the UN shifts abruptly here. In the days following his address at the UNGA, Arafat finalized the overtures towards the US, renouncing terrorism at a teleconference. The US had the clearance it needed to begin a dialogue, and the Palestinian focus would shift from the internationalization track to the bilateral. In the coming years, the Palestinian delegation at the UN would tread water, resolutely avoiding antagonizing the US or Israel as bilateral negotiations became the primary focus for the next two decades.

Only in 2009, when faced with an undesirable status quo and an increasingly despondent populace, did the internationalization track re-emerge. Confronted with a strategic dilemma, Abbas was forced to choose which track to pursue: reconciliation with Hamas, violent resistance, negotiations, or

internationalization. With pressures from both within and without the Palestinian leadership, Abbas chose to prepare for the internationalization track, a convenient combination of a number of options that had the added advantage of fitting into the Palestinian historical narrative. As one official put it: “It’s as if the stopwatch we started in 1974 and paused in 1988 was resumed again in 2009.” In actuality, it was the only realistic policy option available.

That year, it was clear that the situation was dire for the Palestinians. In the wake of Cast Lead, Netanyahu’s resurgence, settlement moratoriums, international reports, an increasingly bitter Fatah-Hamas split, and threats of resignation—Abbas responded by consolidating the national agenda and setting the political course towards internationalization. In the eyes of the Palestinian leadership, there are tracks that complement each other, and tracks that do not. The UN campaign and bilateral negotiations work together; violent resistance and negotiations do not. In choosing the internationalization option, Abbas was reorienting towards one of the last remaining areas of Palestinian diplomatic strength: the UN.

Soon after, Abbas ordered his government to begin laying the foundations for the shift to the internationalization track. This shift would include incorporating several tactics into one new, hybrid tactic, with the UN campaign as the spearhead. The contingency plans, the list of UN-affiliated organizations, the procedural outline—all were developed to lay the technical foundation in case a political decision was made. A year later, in 2010, that political decision had been made, and a theoretical possibility became a practical reality.

In the breakdown in talks with Israel in late 2010, one Palestinian official described the

situation as: “clear that the bilateral was, at best, closed off for the time being, and at worst, dead.” The Israelis and Palestinians had reached an impasse, and Abbas went to the Arab League meeting in Sirte, Libya to announce his tactical shift. The League backed his decision to abandon talks, and in the coming months the Palestinians began revealing the details of the newest manifestation of the UN campaign. 2011 saw a period of intense pressure from the US and Israel towards the Palestinians, with all sides blaming the other for the current stalemate.

Opinions vary regarding Abbas’s attitude toward the UN campaign that year. In interviews, officials describe Abbas as a man angling for negotiations, as not completely sold on the merits of the UN campaign. Perhaps the risk-averse Abbas was practicing a trademark of his predecessor’s governing style: pursuing multiple policy options with varying degrees of effort to varying effects. Or perhaps Abbas was cognizant of another event in history, of a time in 1999 when Arafat threatened to go to the UN at the end of the Oslo interim period and Clinton brought him back with the promise of negotiations.

Whatever Abbas’s opinion, the US did enough to dissuade a Security Council vote through the veto, but not enough to circumvent a General Assembly vote in 2012. Upgraded status and moniker in hand, the Palestinians in 2012 had taken another step on a road they started nearly forty years ago.

This report will detail how the Palestinian leadership created, implemented, and assessed their UN campaign. It will analyze this UN campaign in the broader context of a shift in Palestinian strategy, of the calls within the leadership for a more consolidated, integrated approach to attaining statehood, and what the next steps are if the talks set up by John Kerry in the summer and fall of 2013 fail.

## II. THE ROAD BACK TO THE UN

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The Palestinian strategy of attaining statehood remains, but within this strategy two dominant tactical tracks have emerged. First, there is the track most practiced in the past two decades, a track that pursues a policy of bilateral negotiations with Israel. This track has its roots in the decades before the Oslo accords, but could be seen to manifest itself in the years before the Madrid conference. Second, there is the internationalization track, the track that pressures for a greater diplomatic push and acceptance at the UN. This track is a hybrid of sorts and has manifested itself through different forms since 1974. In its current manifestation, it advocates a more integrated approach to achieving statehood, and in so doing pushes for wide-range of policy options, including an increased engagement at the UN.

Now, these two tracks are not in constant struggle with each other, nor are they completely parallel, but they do cycle between moments of prominence and usage, and they have the ability to complement each other. Nor are they the only tracks available to the leadership in pursuing statehood; they are the political successors to the violent resistance track practiced in the decades before Madrid and Oslo. In those years before Oslo, the Palestinian leadership<sup>1</sup> was able to jump in between tracks often, alternately pursuing negotiations, internationalization, and resistance. Today, that practice is repeated with Abbas and leadership, as both have shown a willingness to jump between

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<sup>1</sup> For the purpose of this report the term “Palestinian leadership” will follow the generally accepted notions of the leadership in Ramallah, including Abbas and his cabinet, senior members of Fatah, and members of the PLO Executive Committee.

the bilateral and international tracks when the situation dictates.<sup>2</sup>

The Abbas-led strategy will remain the attainment of statehood with preference for a negotiated agreement. Abbas’s own history attests to his preference for the bilateral track. In his memoirs, Abbas lamented the apparent lack of knowledge of Israel from the Palestinian side, and set out covertly meeting Israeli officials and policymakers as early as the 1970s.<sup>3</sup> At the time, his actions were met with much inner resistance from the

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<sup>2</sup> This report is largely based on interviews conducted from early 2013 to July 2013. Nearly 30 formal interviews were conducted in Ramallah, Bethlehem, Jerusalem, and by phone in Washington DC and New York City. Within the framework of this research, interviews were conducted with members of the Palestinian Authority’s Foreign & Interior Ministries, Fatah Revolutionary Council, Fatah Foreign Relations Committee, former PA cabinet officials, members of the Israeli Ministry of Foreign Affairs, diplomats from the European Union, a former US ambassador, Israeli, Palestinian, European and American journalists, Israeli, Palestinian, and American academics, members of the International Crisis Group, and members of the Palestinian civil society, among others. For the purpose of discretion, interviewees who wished to be mentioned will be mentioned within the report, others will be quoted based on the department/party/organization they most prominently represent.

<sup>3</sup> Abbas’s memoirs detail the resistance Palestinian officials met from within the movement by talking with Israelis, particularly a Palestine National Council meeting in March of 1977 when Issam Sartawi was “bitterly attacked” for talking with Israelis. “All the factions in the PNC without exception joined in...I discovered that none of them knew what they were talking about, that their knowledge of Israel was limited to the simple fact that it was the enemy against whom continuous war should be waged. So, I set out to work on this weakness within our ranks.” Abbas, Mahmoud, *Through Secret Channels*, (Reading: Garnet Publishing, 1995).

Palestinian leadership; today, they're mostly lauded by Palestinian officials: "he was the most courageous man we had, he was meeting with Israelis for decades, he was engaging at the political level, not the resistance level."<sup>4</sup>

Yet in the breakdown that followed after negotiations with Olmert in late 2008, a theme emerged in the Palestinian national discourse: the status quo was harmful to the national strategy, a change was needed. Amid Cast Lead, Netanyahu's resurgence, inadequate settlement moratoriums, scuffles over international reports, and multiple threats of resignation, Abbas's stated intent of a negotiated settlement seemed like less and less a possibility.<sup>5</sup> In 2009, the national discourse culminated with three tracks for Abbas to choose in lieu of a sustainable negotiation process: 1) a national reconciliation attempt between Fatah and Hamas, 2) popular resistance in the form of another *intifada*, or, 3) internationalization through the United Nations.<sup>6</sup> In essence, it was the start of a shift in tactics. Pressures abounded from both within and without the leadership to pursue something other than the bilateral track. With little hopes—and less motivation—for actual reconciliation with

<sup>4</sup> Interview with former PA cabinet official and member of the Fatah Revolutionary Council, Ramallah, May 2013.

<sup>5</sup> "Abu Mazen is a man of institutions, he works on a decentralized level, he focuses on achievements, he wants results, but [in 2009-2010] even that would not work for him. It is the difference between the two leaders: for Arafat, he came through armed struggle and then negotiations failed him, but for Abu Mazen, to come through negotiations and then have negotiations fail, it hurt him." Ibid.

<sup>6</sup> For more on the policy options facing Abbas in 2009 see the International Crisis Group report *The Emperor Has No Clothes: Palestinians and the End of the Peace Process*, 7 May 2012.

Hamas, and similar disdain for another *intifada*,<sup>7</sup> Abbas chose internationalization.<sup>8</sup>

The appeal of this decision was that it gave Abbas, a man who, for all intents and purposes, wants to remain to be seen committed to the peace process, a chance to jump to the internationalization track without closing off the bilateral track.<sup>9</sup> In many ways, it is a flexible tactic that reconciles the multiple schools of thought within the Palestinian leadership. For those in the school that push for bilateral negotiations, it has the advantage of appearing to strengthen the Palestinian negotiating position by leveraging the international community. For those that push for a more resistant course, it has the advantage of antagonizing Israel and openly defying US pressures.<sup>10</sup> In reconciling these

<sup>7</sup> The Abbas-led PA has routinely touted its commitment to non-violence, but that didn't stop the Israeli perception of a third *intifada* from occurring, a perception that persists today as a more than undesirable outcome.

<sup>8</sup> According to one official: "Abbas wanted an achievement, something other than a stalled peace process to show the people. In his eyes, this [internationalization] was the only option that could also preserve the notion of the two-state solution." Interview with senior Fatah official, Ramallah, June 2013.

<sup>9</sup> "Abu Mazen does not believe in taking a unilateral step forward. He wants a negotiated agreement, he thinks about it all the time. He believed this [internationalization tactic] was for the sake of the peace process." Interview with senior Fatah official, Ramallah, May 2013.

<sup>10</sup> On the former school, one official noted: "We wanted the international community to know that we are not coming to the UN to delegitimize Israel, or to have them retract their promises to Israel, but rather to fulfill their promises to the Palestinians. We were seeking international legitimacy and rights for our people." And in the latter school: "There were quite a few stormy Fatah meetings where people would argue that because we stopped armed struggle, this is what happened to us. That Oslo has failed us, that

schools of thought, Abbas also reconciled public opinion. The UN's history in the eyes of the Palestinians is tenuous, to say the least, but as the next best available avenue for international legitimacy, Abbas was able to utilize the tactic in appeasing public opinion.<sup>11</sup> The other appeal of the internationalization campaign is that it allowed Abbas to feel as if he hasn't given up on the bilateral track. Abbas remains ever committed to the bilateral process, a sign made evident by his July 2013 agreement to restart the negotiations sponsored by John Kerry. Further, as an integral member of the bilateral track from its inception, it is fair to say Abbas anticipated a different outcome from his shift to the internationalization campaign. Indeed, as the

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negotiations had failed us. People argued, and will continue to argue, that while the peace process is stagnant, perhaps Israel does not understand anything but the language of force." Interviews with former PA cabinet official and member of the Fatah Revolutionary Council, Ramallah, May and June 2013.

<sup>11</sup> "Even in the early days of the UN, an organization that has not always been viewed as fair by the Palestinians—they had voted to partition the land—there was a level of discomfort with the Palestinian people and the UN. But when we saw other countries gain their freedom around the world and come to the UN and get recognized, we started to shift our view of the UN. That shift started in 1974 with Arafat's address to the UN, and following that moment we started engaging with the UN, we looked to it as a body where international law was being formed and where the rights of people were being addressed. That engagement continued whenever we had a chance to lobby for our rights." Interview with PA official, Foreign Ministry, Ramallah, June 2013. Another official described the people's perspective of the UN in 2009: "the leadership [Abbas] believed that going to the UN was not an alternative to negotiations, it was a complement to the negotiations. The Palestinian people believed it was their right to be a part of the international organization." Interview with former PA cabinet official, Ramallah, May 2013.

Palestinian leadership was laying the foundation for the UN campaign, Abbas was following a path first laid out by his predecessor.

In May of 1999, at the end of the five-year Oslo period, Arafat publicly and privately mused about the option of unilaterally declaring statehood and going to the UN for recognition. In his trademark style, Arafat was "decidedly coy" during this period, dispatching two deputies, Nabil Sha'ath and Saeb Erekat, to begin lobbying international countries to support a Palestinian declaration of statehood. The US countered this campaign with some lobbying of their own, insisting that real progress only come through negotiations.<sup>12</sup> Clinton himself would send Arafat a letter vowing to restart negotiations after a new Israeli government was formed, reminding him that negotiations were the only way to realize Palestinian aspirations.<sup>13</sup> In the end, the promise of new negotiations, coupled with the long-standing relationship between Clinton and Arafat, was enough to sway Arafat back to the bilateral track,<sup>14</sup> a moment

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<sup>12</sup> For more on the US effort to pressure the Palestinians, read Dennis Ross's account in his memoir: *The Missing Peace: The Inside Story of the Fight for Middle East Peace*, (New York: Farrar, Straus and Giroux, 2004).

<sup>13</sup> For Clinton's full letter to Arafat, see: "Letter from Bill Clinton to Yasser Arafat, April 26, 1999" at Brookings Institution here: <http://www.brookings.edu/~media/Press/Books/2005/peaceprocess3/Appendix%20X.pdf>

<sup>14</sup> Arafat was also aware of the very real possibility of destabilizing the situation ahead of Israeli elections and adversely impacting the potential for Ehud Barak, who had campaigned on the peace process, to win. On the Israeli side, opinions differed on how Netanyahu would have reacted to such a unilateral move: Ross describes Netanyahu as prepared to annex certain areas in the West Bank upon any unilateral declaration. Yossi Beilin offers a different perspective: "those close to Netanyahu suggested that he might

that undoubtedly made an impression on Abbas. A likely advantage of the 2011 UN campaign, in Abbas's eyes, was that it would follow the mold of Arafat's campaign in bringing attention to the situation, shaking up the status quo, and returning the US as broker of another round of negotiations:

“Abu Mazen was, first of all [in 2011], hoping there would be a compromise [for future negotiations] before going to the UN Security Council. He thought there would be an American offer to restart talks before going to the UN. It was not his first intention to provoke the US or Israel, he had left the door open for any American, Israeli, or European offer to restart negotiations.”<sup>15</sup>

However, Abbas's bluff was called, and whether for a lack of rapport between the US and the Palestinians or lack of a strategic US vision for the peace process, the Palestinians executed their campaign. The technical foundations that had been laid in preparation of the UN campaign became political realizations. Yet in the eyes of the Palestinian architects of this campaign, the forming of these technical foundations, and their transition into political reality, were merely the culmination of a decades-old process that had been paused for Oslo. It was a campaign the Palestinians viewed not so much as a unique political initiative, but rather the resumption of a track that had been abandoned for nearly two decades in deference to the bilateral track.

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welcome a Palestinian decision to cancel the Oslo Agreement and unilaterally declare a Palestinian state – relieving him from having to persuade the electorate to accept a permanent agreement, and from adhering to the other aspect of Oslo.” Beilin, Yossi, *The Path to Geneva: The Quest for a Permanent Agreement, 1996-2004*, (New York: RDV Books, 2004).

<sup>15</sup> Interview with senior Fatah official, Ramallah, May 2013.

### III. HOW THE POLICY WAS FORMED

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In understanding the recent UN campaign, one must understand the perspective through which it is viewed within the Palestinian leadership. Rather than an anomaly, or as a purely reactive measure to the breakdown in talks, the process is described as the culmination of an evolution that began in 1974, evolved in the late 70s and early 80s, and first manifested itself in 1988. According to one official: “it's as if the stopwatch we started in 1974 and paused in 1988 was resumed in 2009.”<sup>16</sup>

#### A. The roots in 1974

In June of 1974, the PLO released its ten-point plan for reaffirming Palestinian unity and armed struggle. The plan, however, while calling for armed struggle as the primary means of resistance, did not rule out other political options.<sup>17</sup> And while the plan was directed towards liberation and armed resistance, it served another purpose in furthering the PLO's claim as the ‘sole, legitimate representative’ of the Palestinian people.<sup>18</sup> A few months later in Rabat, the

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<sup>16</sup> Interview with PA Foreign Ministry official, Ramallah, June 2013.

<sup>17</sup> Indeed, the plan itself was a political adjustment to the “new political circumstances that have come into existence in the period between the [Palestine National] Council's last and present session.”

<sup>18</sup> 1974 was also the start of the evolution of two major policy positions within the PLO: the attitude towards UN Resolution 242, which called for the withdrawal of Israeli forces from territories occupied during the 1967 war, and the PLO's status of sole, legitimate representative of the Palestinian people. The ten point plan reiterated the group's position against 242, a position that would evolve and eventually reverse by 1988. The status of representation was something that would follow a similar timeline, if not a similar arc, by 1988 the PLO had furthered its claim of



Arab League would vote in favor of recognizing the PLO as this sole, legitimate representative.<sup>19</sup> Internationally, many would view this action as a change in representation, that the PLO now spoke on the international level for the Palestinians. Within a month of the Arab League summit, Arafat would be invited to address a plenary session of the UN, leaving the UN General Assembly with a rather ominous threat to “not let the olive branch fall from my hand.”<sup>20</sup> Following the speech, the General Assembly approved the PLO’s membership as an ‘observer mission’ to the proceedings of the UNGA, and considered that “the PLO was similarly entitled with regard to all international conferences convened by other organs of the UN.”<sup>21</sup> The Palestinians had arrived at the UN.

But no sooner was the momentum from 1974 won then the Lebanon-based PLO leadership became faced with another dilemma: the outbreak of the Lebanese civil war.<sup>22</sup> In the

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representation, but would still not be accepted by the US or Israel. It would not be until 1993 and the declaration of principles that the PLO would have full recognition.

<sup>19</sup> The US was paying close attention to the PLO’s formation of a “state within a state” in Lebanon. In State Department cables that were declassified in 2005, the US was concerned about “momentum after the Rabat summit” leading to destabilization in Lebanon. For more, visit:

<http://aad.archives.gov/aad/createpdf?rid=169847&dt=2474&dl=1345>

<sup>20</sup> Arafat’s full speech can be found here:

[http://www.al-bab.com/arab/docs/pal/arafat\\_gun\\_and\\_olive\\_branch.htm](http://www.al-bab.com/arab/docs/pal/arafat_gun_and_olive_branch.htm)

<sup>21</sup> More information can be found at the UNISPAL website here: “The Question of Palestine at the United Nations,”

<http://unispal.un.org/pdfs/DPI2499.pdf>

<sup>22</sup> The PLO leadership entered Lebanon under less than desirable circumstances, having been expelled from Jordan after the Black September

midst of violent sectarian clashes in southern Lebanon, the group was forced to adapt its strategic outlook to address the current situation. As such, bureaucratization started, basic communal services were created, and the PLO began forming the institutions of a quasi-state.<sup>23</sup> As the war raged on, the PLO’s attitudes towards diplomacy evolved, and with them, so too did the views of the two-state solution. Within this evolution, none is a greater indicator than the general opinion towards UN Security Council Resolution 242, the post-1967 War document calling for Israeli withdrawal from “lands occupied in the recent conflict.” In the years after 1967, the Palestinians had been guided by a policy resolutely opposed to 242, but by the Israeli siege of Beirut in 1982, members of the PLO were openly calling for the change in opinion, arguing that acceptance of 242 would “break the siege, preserve the PLO, and change the hostile international atmosphere.” It was a position supported by Abbas at the time, who viewed 1974 as a missed opportunity to start building a relationship with the US.<sup>24</sup> In the

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hijackings in 1970. The move would have a formative impact on PLO decision making.

<sup>23</sup> “From the moment that the main PLO military forces were moved up to Beirut and Sidon from South Lebanon in the 1975-1976 phase of the Lebanese war, the pretense that their purpose was to liberate Palestine through armed struggle began to disappear. As these forces became more of a self-defense force for the Palestinian population in Lebanon (as well as a strike force against the PLO’s enemies—Lebanese and Syrian—during the war there), as the PLO’s strategy changed in the direction of diplomacy, and as its aim became a two-state solution, this pretense evaporated completely.” Khalidi, Rashid, *The Iron Cage*, (Boston: Beacon Press, 2006).

<sup>24</sup> From Abbas’s memoirs: “The resolutions of the twelfth session of the PNC held in June 1974 stated that we rejected Resolution 242 because it dealt with the issue of Palestine as an issue of refugees. What the PLO should have said was that if Resolution 242 had not dealt with the issue of

coming years, the expulsion to Tunis, the start of the first *intifada*, and King Hussein's severance of ties with the West Bank, would all play a factor in promulgating the change within Palestinian policy. By 1988, the Palestinian leadership had adopted the concept of the two-state solution as a national goal, but was still undecided as to how best to achieve that state.<sup>25</sup> The Palestinian strategy of attaining statehood had been codified; the tactical approach to fulfilling that strategy had yet to be agreed upon.

### ***B. The 1988 debate***

At the onset of the *intifada*, the PLO was charged with attempting to answer for, and control, a grassroots social resistance movement from abroad. By 1988, King Hussein of Jordan had decided to cut off the administrative claim to the West Bank, a move heralded by the PLO if not the US and Israel. The US had, for decades, preferred to deal with the Palestinians via the Jordanians; here, in the midst of the *intifada*, the PLO had their chance to further their claim as sole, legitimate representative of the Palestinian

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Palestine as a refugee problem and had instead dealt with it as an issue of a people with legitimate rights, we would have accepted it. This would not have changed the substance of our position and we could have announced it without fear of losing ground. On the contrary, we could have won American recognition.” Abbas, Mahmoud, *Through Secret Channels*.

<sup>25</sup> “It took us [the PLO] over twenty years to reach that point, but the real process started in 1974. The foundation was built in the ten-point plan, on the point that called for establishing an authority over any area of Palestine that had been liberated, this was the point that led to 1988. By 1988, the goal was to declare a state, and there was a crossroad: you declare the state, but how do you get it? Through the international community and the UN? Through resistance? *Intifada*? Through a bilateral agreement? This was the debate.” Interview with a senior Fatah official, Ramallah, June 2013.

cause and construct a relationship with the US.

With the national strategy of statehood accepted within the PLO leadership, the Palestinian National Council was convened a few months later, issuing a declaration of independence, adopting and endorsing various UN resolutions that had been passed since 1947. This declaration was accompanied by supporting documents accepting Resolution 242, and the Palestinians' ‘historic compromise’ was born.<sup>26</sup>

Yet with the acceptance of 242 and the declaration of independence came a need for decision: how best to achieve the goal of statehood. It was a question the PLO pondered while simultaneously attempting to juggle public opinion.<sup>27</sup> Resistance had proven ineffective, the *intifada* was not sustainable—the only options that remained were through a multilateral approach at the international community or bilateral negotiations. In lieu of a viable negotiating path in 1988, the PLO decided to pursue a hybrid policy of sorts, engaging both paths simultaneously for a brief period. When Arafat was invited to address the General Assembly that year, the first of the major Palestinian policy debates over the UN tactic began.

The debate in 1988 centered on to what degree the Palestinians should get involved with the UN. Within this debate, two competing schools of thought emerged: the

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<sup>26</sup> Abbas viewed the acceptance of 242 as a watershed moment in dealing with international law. From his memoirs: “the most important aspect of the initiative was that it brought international legality to the PLO position.”

<sup>27</sup> “First we had to address the shock of the Palestinian people, we had to acknowledge that the historical Palestine no longer matched the stance of the PLO.” Interview with former PA cabinet official, Ramallah, May 2013.

first arguing against pursuing statehood and recognition at the UN, the second arguing in favor:

- 1) The first school, arguing against engagement at the UN, was led by Farouk Kaddoumi. Kaddoumi's argument centered around three concerns: a) that seeking to create a Palestinian state on the 1967 borders might undermine the claim of authority and representation of the PLO in regards to the Palestinians living outside those borders, and b) that this might jeopardize Palestinians living in other countries outside these borders, and finally c) that the limitations imposed by the international community might not align with Palestinian interests.<sup>28</sup>
- 2) The second school advocated immediately pursuing statehood at the UN, and was led by Riyad Mansour, among others. Mansour tried to draw a distinction between a state and a governing authority, arguing that the newly created Palestinian state would not negate the legitimacy of the PLO, but rather enhance it. That in governing a state, the PLO would be able to add legitimacy to the

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<sup>28</sup> 'Interests' in this sense entails armed resistance. Here, is another example of the debate over tactics within the Palestinian leadership; the bilateral track and multilateral approach were both the most popular routes for attaining statehood, but they were by no means the only routes discussed within the leadership. Kaddoumi was firmly in this camp. According to one official, Kaddoumi's view was that "to be a state in the international system at that time would entail some official commitments, commitments that might not suit a liberation movement." Interview with senior Fatah official, Ramallah, June 2013.

claim of leading the Palestinian people.

By the time the dust had settled on the debate, the former school had won, if not for a lack of suitable alternatives, but an inability to answer some of the key questions posed by the first school.<sup>29</sup> The PLO then compromised, applying a hybrid plan of sorts and applying for an upgrade from 'observer mission' to an 'observer entity,' and changing the name at the UN to 'Palestine.'<sup>30</sup>

Following Arafat's speech at the General Assembly, the push was on to begin to forge a relationship with the US. Arafat himself had been denied a visa to New York, and was instead forced to address the UNGA at their secondary location in Geneva. His address, though historic, was not enough to bend the US, and the pressure mounted in the days after to fully renounce terrorism and commit to peace. It was a debate that again split the Palestinian leadership, with multiple voices arguing both for and against clarifying the Palestinian position.<sup>31</sup> In the end, Arafat sided

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<sup>29</sup> "Mansour's school of thought did not win the day at the time simply because the questions posed by Kaddoumi were not answered. The compromise was then reached and the PLO sought an upgraded status from observer to entity." Interview with senior Fatah official, Ramallah, April 2013.

<sup>30</sup> In the eyes of the Palestinian leadership, the changing of the official moniker at the UN to Palestine was no tiny feat: "it brought us back to the international community, it was always an uphill walk for us to regain our representation. We had always been referred to as 'the Arabs' or 'the refugees in the Near East.' We were always put in the wider context of the region rather than a specific national identity." Interview with senior PA Foreign Ministry official, Ramallah, June 2013.

<sup>31</sup> Abbas describes the debate in his memoirs: "at this point our delegation as well as our friends split into two camps. One was of the opinion that Arafat should clarify matters by using the words

with the latter, and made his famous renunciation of violence at a teleconference a few days later. The US had the necessary clearance to open communication with the Palestinians, a communication line that in the hopes of the Palestinians would lead to an honest brokerage of the two-state solution.<sup>32</sup> The multilateral track and international campaign at the UN, for all intents and purposes, would be moved to the background.

For the Palestinian leadership at the time, the overall strategy remained focused on attaining statehood, the shift, however, occurred on the tactical level of how to achieve this state. The post-1988 leadership began shifting the focus away from multilateral efforts at the UN towards the bilateral track. By 1989 the Palestinians were treading water at the UN, resolutely avoiding antagonizing the US or Israel,<sup>33</sup> and by the end of the war in Iraq and the onset of the Madrid conference, the

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required of him in order to deprive America of its pretexts and excuses, while the other considered that the PLO had given enough away.” Abbas goes on to make it clear that he was in the former camp: “if further clarification was needed then so be it, provided we adhered to the framework of the PNC resolutions.”

<sup>32</sup> “Why did we embrace 242 and 338 in 1988? It was not, in my opinion, for the Israelis, it was for the US. Arafat was addressing Washington when he denounced terrorism in Geneva. The assumption was that once we allied ourselves with the US there would be an equitable re-balancing.” Interview with senior PLO official, Ramallah, May 2013.

<sup>33</sup> “In 1989, we began exploring acceptance into agencies such as the World Health Organization, but the US was against the plan, lobbying other developing states or natural allies of ours to discourage our application. At that point it did not make sense for us to go through with the WHO plan, we had begun a conversation with the Americans, we were building a relationship and adjusting [towards negotiations].” Interview with PA Foreign Ministry official, Ramallah, June 2013.

tactical focus had now been solely placed on the bilateral track.<sup>34 35</sup>

### *C. The 2009 technical foundation*

The bilateral track would dominate Palestinian policy for nearly two decades, guiding the Palestinians through the Oslo period, the second *intifada*, and through Arafat’s death and transition to Abbas, the champion of this track.<sup>36</sup> It would dictate Palestinian policy in Annapolis and the subsequent negotiations afterward in 2008, and would lead them back to the negotiating table with Netanyahu in 2010. Yet, during the Annapolis phase, another track began to emerge, a track that argued there was a gap in the strategic mindset of Palestinian policy, that a new approach may be necessary to achieve the national strategy of statehood.

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<sup>34</sup> “The peace process at that point basically became the main focus of the leadership. The Palestinian team working at the UN was still maintaining the status quo and fulfilling their duties, but we were not confronting either the patrons of the peace process or the international community.” Ibid.

<sup>35</sup> This is not to suggest that the bilateral track was always smooth. The PLO relationship with the US was rocky, at best, in the years after 1988, and saw many a low-point (Arafat’s refusal to condemn an uncovered plan for a terrorist attack on a beach in Tel Aviv, as well as his general support for Saddam Hussein in the Gulf War, being two examples.) Nor did the bilateral track shift win them any immediate favors with the Israelis, they still had to counter Yitzhak Shamir’s ‘4 No’s of Likud’ in 1989 and wait for the rise of Rabin in 1992 before the track began to produce positive returns. Shlaim, Avi, *Israel and Palestine: Reappraisals, Revisions, Refutations*, (London: Verso, 2009).

<sup>36</sup> While the internationalization track re-emerged in 2009 and 2010, there were other moments of inertia in the peace process where it could have emerged, but did not. The second *intifada*, for instance, was one such occasion where the active resistance track took the dominant setting.

In the years leading up to 2009, there was a national discussion taking place within the Palestinian leadership, a discussion about what the next steps should be, about how to attain a state and preserve the rights of their people.<sup>37</sup> By 2009, this discussion had reached a head, and Abbas ordered his departments to begin laying the technical foundations for a shift to the internationalization track.

The signs of the national discussion can be seen in the flurry of reports released in that time period. Among these, a newly formed group of officials and stakeholders emerged: the Palestine Strategy Group. Founded in London in 2007, the group contains dozens of officials and policymakers both within and without the territories, comprises members from multiple Palestinian political parties, and stresses its political independence. In 2008, this group released a report titled *Regaining the Initiative: Palestinian Strategic Options to End Israeli Occupation*, in which it argued for a change in the status quo, a shift to ‘smart resistance,’ and an end to the 1988 bilateral track:

“The result of a reorientation of Palestinian strategy will clearly be much worse for Israel than the negotiation of a genuine two-state outcome on the basis of the existing 1988 offer... What is undoubtedly the case is that a reversal of the 1988 offer and the adoption of an alternative strategy is much preferable for Palestinians to any of the four preferred Israeli alternatives to a negotiated agreement. So, if current negotiations fail, Palestine will be driven to replace the

1988 offer by a new strategy, not just rhetorically but in reality.”<sup>38</sup>

By 2009, with negotiations a distinct fantasy, the situation was dire for the Palestinians. Abbas was weakened, was concerned over public support and had repeatedly threatened to resign. There was a sense of urgency to change the status quo, to adopt a new tactic; Abbas ordered his departments to prepare for a shift in Palestinian tactics. The ready-made strategy group had influenced the discussion.<sup>39 40</sup> That year, the PA revealed the technical foundation in a number of reports. Among them, the foreign ministry released the *Palestinian Diplomatic Plan*, alternately referred to as the *194 Campaign*, which was a reflection of the decree issued by Abbas in 2009. According to officials, the main focus was still on the bilateral track, but to open up the possibility for a shift to the internationalization track: “this plan was built on the pillars of renewing the bilateral conversation, but also to build new

<sup>38</sup> For the full PSG reports visit:

<http://www.palestinestrategygroup.ps/>

<sup>39</sup> According to the founder of the Palestine Strategy Group, Husam Zomlot, the PSG contains members “very close” to Abbas, within a wide-range of levels in the Palestinian leadership. Members of different agencies, including the Negotiation Affairs Department, reportedly are screened based on their knowledge of PSG reports. Interview with Zomlot, Ramallah, June 2013.

<sup>40</sup> Zomlot continued: “The conversation [surrounding the 2008 report] was happening in multiple sectors and avenues at the same time, but they all reached similar conclusions: that the status quo only benefitted Israel. The PSG was established because it was perceived there was a need to lead that conversation at the strategic level. After the first report in 2008 it became clear that we needed to strengthen our negotiating position.” According to Zomlot, this strategic conversation gave way to a technical side of the conversation, which began after Abbas’s directive in 2009.

<sup>37</sup> “There was a growing Palestinian realization in multiple arenas, in the civil, political and academic arenas, that there was a need to enact some changes in the status quo. It was a nationwide conversation.” Interview with senior Fatah official, Ramallah, June 2013.

relationships with countries that didn't recognize Palestine, and to begin exploring the potential of joining international organizations."<sup>41</sup> This diplomatic campaign also had roots in the years prior to 2009. Starting in 2005, Abbas had made multiple trips to Latin America, where leaders—particularly in Brazil, Chile and Argentina—had expressed their willingness to support the Palestinians at the UN. By 2010, this willingness had progressed to official visits, when Luiz Inacia Lula da Silva visited the Palestinian territories and pledged support for a Palestinian state. Within months of his visit, da Silva recognized the Palestinian state. By the time the technical foundations had been laid for this internationalization track, the Palestinians already had the foundation for a working relationship with the Latin American countries.<sup>42</sup>

Also in 2009, the Negotiation Affairs Department, led by Saeb Erekat, released their side of the technical foundation, succinctly titled *The Political Situation in Light of Developments with the US Administration and Israeli Government and Hamas' Continued Coup d'Etat: Recommendations and Options*. In it, Erekat discussed the developments that had led the Palestinians to this impasse, placed the blame solely on Netanyahu and the Israelis, and sought to identify a 'future vision.' Erekat blamed the Obama administration's 'terms of reference' on the peace process and pointed to

<sup>41</sup> According to one official: "the outcome of the 2009 cabinet meeting was the plan of the government at the time: to focus on institutional building and laying the technical foundation. We wanted to go to the UN prepared, which is why we started building the institutions in 2009 with the help of the international community." Interview with PA Foreign Ministry official, Ramallah, May 2013.

<sup>42</sup> For more on this campaign, see: Schanzer, Jonathan, "Fatah, Hamas, and the Statehood Gambit," *Commentary*, June 2011.

Netanyahu's refusal to acknowledge the previous progress made with Olmert.

In outlining the vision, the memo made it clear that negotiations are the primary focus, but only if they fit the parameters of "international law, UN resolutions including UNSCR 242, 338, 1397 and 1515, and UNGAR 194, the Road Map, agreements previously concluded between the parties, and the Arab Peace Initiative." A tall order, to say the least, and one in which Erekat understood the current negotiations fail to reach, which led to the recommendations portion, designed to: "consolidate [the] media action plan and be adopted by all PLO factions," and "unify the Palestinian discourse on all levels." Under this outline, Erekat laid out the technical side of the new policy:

- 1) Secure a UN Security Council Resolution recognizing the State of Palestine on 1967 borders with East Jerusalem as the capital.<sup>43</sup>
- 2) Seek, through the UNGA, an advisory opinion from the International Court of Justice (ICJ) on Israel's policies.<sup>44</sup>
- 3) Seek, through the UNGA, the reconvening of the High Contracting Parties to the Fourth Geneva Convention.
- 4) Continue Palestinian efforts at the International Criminal Court.

<sup>43</sup> In Erekat's view, this was not a unilateral declaration: "in essence, this option is an international imposition of a final status solution between the parties based on international law. This leaves the option of accepting the solution or rejecting it. Thus, it will not be a unilateral declaration of independence."

<sup>44</sup> This would be a second ICJ report, the first being about separation barrier in 2004. For the press release of the advisory opinion, see: <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>

- 5) Urge the US to propose principles for the resolution of all core, final status issues in accordance with previous terms of reference. “Bilateral negotiations would then focus on fleshing out the US proposal.”
- 6) Secure international recognition of the State of Palestine on the 1967 borders with East Jerusalem as its capital.
- 7) Invigorate contacts and working relationships with the Israeli peace camps.

It was a wide-range, broad recommendation list that gave the Palestinian leadership flexibility in choosing which to pursue at which time. By 2010, the political evolution of this policy, as well as the incorporation of different departments’ policy recommendations, would focus on just a few of these points, namely points one and six.

#### ***D. The political decision***

Palestinian policy under Mahmoud Abbas has, and continues to be, whatever Abbas wants it to be.<sup>45</sup> Yet in the wake of collapsed talks, a status quo that increasingly harmed Palestinian interests, a debilitating intra-Palestinian split, and an electorate pressuring Abbas to produce an accomplishment, the champion of the bilateral track began laying the foundation for a way to the internationalization track. The strategy of attaining statehood had remained, but the tactical shift had begun. In 2009, the technical foundation had been laid and addressed by varying members of the Palestinian Authority and leadership, by 2010, this foundation would be raised from the rhetorical to the practical.

In September of 2010, Abbas addressed the UN General Assembly in New York,

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<sup>45</sup> “There is one national agenda: Abu Mazen’s agenda.” Interview with senior Fatah official, Ramallah, May 2013.

expressing his wish to return to negotiations, and reiterating the Palestinian stance of halting settlement construction prior to negotiations. That same assembly, Obama issued a speech expressing a desire to see an “independent, sovereign state of Palestine, living in peace with Israel” as a new member of the UN in the next year.<sup>46</sup> For the Palestinians, this was akin to a promise, and in their eyes it gave them the additional cover needed to pursue the UN track.<sup>47</sup> The negotiations that began soon thereafter quickly collapsed, and by November Abbas had taken his cause to the Arab League meeting in Sirte, where a vote was held supporting his decision to withdraw from negotiations.<sup>48</sup> At Sirte, Abbas unveiled the evolution of the internationalization track:

- 1) Accord priority to bilateral negotiations, which would resume only if Israel decided to halt settlement activities,
- 2) Call on the United States to recognize Palestine within the 1967 borders,
- 3) Go to the UN Security Council to recognize Palestine,
- 4) Ask the UN Security Council to impose a mandate on Palestine,
- 5) Call on Israel to reoccupy the territories,

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<sup>46</sup> Obama’s speech can be read at the White House website here: <http://www.whitehouse.gov/the-press-office/2010/09/23/remarks-president-united-nations-general-assembly>

<sup>47</sup> “Barack Obama caught between Israel and his Palestinian ‘promise,’” *The Guardian*, 16 September 2011.

<sup>48</sup> Palestinians refer to the breakdown at the Amman talks in 2010 as the definitive turning point: “The failure in the Amman talks gave a clear, indisputable indicator that the talks would not work.” Interview with senior PA official, Ramallah, May 2013.

- 6) Dissolve the Palestinian Authority and leave Ramallah.”<sup>49,50</sup>

Within a month, this policy would evolve again, this time including the General Assembly as an option. At a Brookings Doha conference in December of 2010, Mohammad Shtayyeh, a former negotiator and member of the Palestine Strategy Group, laid out the contingency plan of the UN tactic:

- 1) “Palestine will turn to the international community and ask it to recognize an independent Palestinian state on the borders of 1967, as Brazil, Argentina, and Uruguay have already done.<sup>51</sup> If this does not work, then:
- 2) The Palestinians will turn to the UN Security Council to recognize their state. If this proposal is vetoed, then:
- 3) The Palestinians will then call for an emergency session of the UN General Assembly under ‘Uniting for Peace,’

<sup>49</sup> For more on the Arab League meeting at Sirte, see the International Crisis Group report: *Curb Your Enthusiasm: Israel and Palestine After the UN*,” 12 Sep 2011, which cites *Al Sharq Al Awsat*’s coverage of the summit.

<sup>50</sup> The Crisis Group report goes on to reference *Al Anba*’s interview with Abbas, where he clarified the position further: “one of the choices is for the Security Council to demand from the states of the world recognition of the Palestinian state on the 1967 borders. We will not make recourse [to the UN] unless we are forced to, and all the other doors are closed. We do not want to go to the Security Council and the General Assembly, but if Israel insists on not accepting negotiations and not stopping settlements, what is to be done? Where will we go? There is always a place to go, and that is the Security Council, which is international legitimacy.” 4 November 2010.

<sup>51</sup> Here, another reminder of the relationship forged with the Latin American countries since 2005; Brazil and Argentina both playing prominent roles in the Palestinian international lobbying campaign.

whose resolutions carry the same political weight as those of the Security Council.<sup>52</sup> If that does not work, then:

- 4) The Palestinians will ask for UN custodianship of the Palestinian territories. Finally, if all the above options fail, then:
- 5) The Palestinian delegation will, in the end, return control of all civilian affairs to Israel.”<sup>53</sup>

The details of the tactical shift were now coming into focus: the Palestinian leadership had reaffirmed that negotiations were the preferred tactic, but in lieu of a sustainable dialogue, the shift to the UN had become a necessity. With the UN as the adopted tactic, the Palestinian leadership essentially divided again in the debate over which to pursue first. It was a debate that harkened back to the argument over UN tactics in 1988, where the level of involvement had forced the PLO into two schools of thought. This current debate revealed two competing opinions, approaching either the Security Council or General Assembly first. According to one official:

“Those that lobbied for approaching the General Assembly first did so from a tactical point of view, they knew that once you got all the countries, the 138 countries to vote in favor, then you can approach the Security Council with a much stronger hand. You make it more difficult for other powers to use the veto card.

<sup>52</sup> It is interesting to note that the policy laid out by Shtayyeh was not exactly the same as the policy enacted by the leadership. While the bid at the General Assembly did follow the Security Council attempt, the UNGA did not meet under the ‘Uniting for Peace’ banner.

<sup>53</sup> “An Insider’s View of the Peace Process: A Palestinian Perspective,” *Brookings Doha Center*, 8 December 2010.



Those that argued in favor of the Security Council first did so from a point of pride, saying: ‘why should we start from the lower point? The lower point [UNGA] is guaranteed [with the amount of support]. We should start from the higher point [UNSC] because it is our right.’ By 2011, the argument that had won the day was the latter argument.”<sup>54</sup>

It is clear that even after the political decision was made in 2010 the exact nature of the tactical shift was still being ironed out. By 2011, it was evident that the path of pursuing the Security Council first had become the modus operandi of the tactical shift, and with the arrival of 2011 came the arrival of a year long contestation between the Palestinians and US and Israelis. In May, Obama addressed the initiative in remarks on the Arab Spring, insisting that: “Now, ultimately, it is up to the Israelis and Palestinians to take action. No peace can be imposed upon them—not by the United States; not by anybody else. Symbolic actions to isolate Israel at the United Nations in September will not create an independent state.”<sup>55</sup>

Obama would go even further in his remarks, insisting on 1967 borders with mutually agreed-upon land-swaps as the basis for negotiations, a move that would draw fire from his Israeli flank. Within days, he had walked his comments back slightly at the annual AIPAC meeting, and within weeks had

<sup>54</sup> According to the same official, the debate involved a clash of principle with tactical efficiency: “it was a symbolic symbol for us to apply to the UN Security Council first, but those that are familiar with the US [and the power of veto] knew it would not work.” Interview, Ramallah, June 2013.

<sup>55</sup> For Obama’s full address in 2011, see: <http://www.whitehouse.gov/the-press-office/2011/05/19/remarks-president-middle-east-and-north-africa>

walked back his comments almost completely. By the summer of 2011, the US was pressuring the Palestinian leadership to abandon the UN track and begin negotiations based not on previous agreements or milestones—which had been a Palestinian insistence since the Erekat memo—but on the principles of Obama’s prior speeches. As the Crisis Group summarized then: “The administration’s position—at least for now—is that it will oppose anything at the UN and that the president’s principles provide a satisfactory alternative.”<sup>56</sup>

The president’s principles, however, were not enough for the Palestinians. By the fall of 2011, not even a statement by the Quartet could dissuade the Palestinian leadership. It would take the threat of a US veto in the Security Council to turn the Palestinians away. Withdrawing the call for a vote, Abbas and the Palestinians returned to the UN the following year, winning the vote on upgraded status 138-9.<sup>57</sup> The culmination of a year long international lobbying campaign ended with the historic vote, and Abbas’s jump from the bilateral track to the internationalization track had been completed.<sup>58</sup>

<sup>56</sup> See the Crisis Group report *Curb Your Enthusiasm* for more.

<sup>57</sup> The General Assembly vote was reportedly postponed until after the US elections, a relatively tiny Palestinian concession so as to not embarrass Obama.

<sup>58</sup> “It was an all-Palestinian effort; we had people behind the scenes forwarding the discussion, we had people in the public eye promoting the campaign. Nabil Sha’ath was lobbying at the international party level, Riyad Mansour was working at the UN, Riyad al Maliki was touring the world and lobbying countries, Saeb Erekat laying the media talking points, Mohammad Shtayyeh traveling as well, Hanan Ashrawi was another voice for us, and everything was under the order of Abu Mazen. It was one of the more organized campaigns we have ever done. It was

Questions remained, however, about the future of Palestinian policy. How much time will be spent on the internationalization track? Are the tracks complementary? How was the shift viewed? What happens if talks renew and break down again? In the wake of the successful vote at the General Assembly, Abbas had seen the benefits of the new track. It was flexible, it gave the Palestinian negotiating side leverage, it reconciled competing schools of thought in the Palestinian policy-making leadership, and perhaps most importantly for Abbas, it gave the Palestinian public a palpable national achievement.

#### **IV. HOW IT WAS PERCEIVED IN RAMALLAH**

In the wake of the General Assembly vote in 2012, the brunt of the Israeli and American rebuke was felt in the Palestinian territories. Despite suspended tax revenues, withheld aid, decreased coordination across the lines, etc.—the Palestinian leadership viewed the bid as a national achievement. For the leadership, if the goal of the internationalization track was to build leverage, satiate public demand, produce a palpable outcome, and take another step towards international legitimacy—then it was nothing short of a success. The UN campaign had the unique effect of reconciling multiple opinions along the Palestinian political spectrum, something few other initiatives can claim. For those that argue in favor of a more resistant approach to attaining statehood, the plan had the advantage of seeming to antagonize Israel and the US. For those that advocated continued negotiations, it has the benefits of leveraging the Palestinian hand. In Gaza, Hamas appeared split on the

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not an easy accomplishment, even at the simple, small steps there were lots of debates. But it was a popular campaign, everyone was involved.” Interview with senior PA official, Ramallah, May 2013.

UN campaign, with Khaled Meshaal phoning Abbas in support before the General Assembly vote, and other officials quick to qualify their support of the bid. One Hamas official, Mahmoud Zahar, criticized Abbas’s plan for a “rugged state,” a criticism that drew characteristically shark rebukes from Fatah officials.<sup>59</sup>

When public placation became a necessity, aspects of the campaign were utilized. For instance, in the case of the UNESCO membership, the Palestinian leadership followed a path of lesser resistance, applying for world heritage site status at spots along the 1967 line such as Battir.<sup>60</sup> preserving the 67 lines and satiating public demand, however, were just one part of the perception.

#### ***A. Dissolving the Palestinian Authority?***

Yet in the process of shifting to this internationalization track, and in the history being touted in Ramallah regarding the bid, the Palestinian leadership raised some red flags in the policy formation process. First among these was the willingness, if not general *blasé*, the leadership showed towards dissolving the Palestinian Authority. In multiple working groups, speeches, comments and discussions, dissolving the PA was almost always included as one of the last steps in the contingency plan. But how serious was this threat?

Here, in the debate over dissolving the PA, lies another difference of opinion within the Palestinian policy establishment: the elite

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<sup>59</sup> “Mixed Reactions from Hamas to Abbas’s UN Bid,” *The Jerusalem Post*, 26 November 2012.

<sup>60</sup> The 2012 Palestinian foreign ministry list of possible UNESCO heritage sites along the 1967 lines can be viewed here: <http://www.maannews.net/files/20sites.pdf> For more on the UNESCO strategy, see: Hale, George, “The PA’s Pitiably Strategy,” *The Daily Beast*, 12 July 2012.

group, comprised of foreign negotiators and cabinet officials, insiders and long-time affiliates, commonly referred to as the ‘Tunis group.’ These leaders were with the PLO in Tunisia, when the process of bureaucratization and the evolution to a two-state solution took off. The Tunis group experienced governing from abroad, they saw what it took to build the Palestinian Authority from the ground up, and they will not sacrifice it lightly. Their view of the UN campaign mirrors their view of the PA: a national achievement that required a concerted national effort. In almost every interview with a member of the Tunis group, the line was the same: “we did not build the PA just to give it back. We built these institutions and we built the PA not to give it back.”<sup>61</sup>

In contrast to the Tunis group are the young technocrats of the Palestinian bureaucracy. Foreign-educated and increasingly assertive, this group was raised with the Palestinian Authority either nearing, or already in, operational mode. This group has a less than affectionate attachment to the PA, understanding the working authority as another part in the political machine. “We [the PA] cannot make the occupation a 5-star occupation for the Israelis,” noted one PA official. This group, while not openly encouraging dissolution of the PA, will eventually take the reins of the leadership in the coming years, and will keep the option on the table. For the time being, there is relative harmony between the Tunis group and the young technocrat group, but if the status quo should persist in an unfavorable manner for the Palestinians, watch for the dissolution of

<sup>61</sup> Another official described the debate: “dissolving the PA is talked about, but it is not an option; the PA is a national achievement, we will not dissolve it.” Interview, former PA cabinet official, Ramallah, May 2013.

the PA to come back to the fore of the debate.<sup>62</sup>

### ***B. Fayyad, internal dissent, and institutional constraints***

The other area of discord highlighted by the UN bid was the ambivalence towards dissenting opinions within the leadership. The elephant in the room, then, was the falling out between Abbas and his prime minister, Salaam Fayyad. At the time of these interviews—post-Fayyad’s resignation announcement in 2013—the spin was already in full motion, with many in the leadership quick to re-write the history of Fayyad’s fall from grace. Yet there are clear examples of the animosity that arose between different members of the leadership and Fayyad over the UN campaign, and these rifts belie a greater constraint in the PA.

On one hand, the meetings in 2009 and national directive ordered by Abbas show that the priority was placed on laying the technical foundation for a bid, including an emphasis on institution building in the territories. In this light, Fayyad’s 2009 plan *Ending the Occupation, Establishing the State*, fits perfectly with the national plan. Many officials were quick to laud Fayyad’s plan in retrospect, arguing that the UN campaign required a domestic institutionalization campaign to complement it.<sup>63</sup> Yet, however

<sup>62</sup> “If there is nothing on the political track, if nothing is being achieved for the Palestinians, we will ask the occupation to come back to the ground, not only on the borders, but to take over everything, and let them [Israel] have the responsibility, to take the burden from us.” Interview with PA official, Ramallah, June 2013.

<sup>63</sup> “Fayyad’s plan was designed to work in conjunction with this campaign, building the institutions of the state also meant building the foreign ministry as a viable institution for the state of Palestine, including involvement at the UN.” Interview with PA official, Ramallah, May 2013.

one revisits history, it was clear that by 2011 Fayyad was put in the unenviable position of attempting to do two things at once.

The position of prime minister in the Palestinian Authority is thankless to begin with, but in a position that requires a skilled hand in forging relationships with donor-countries, to be asked to support a plan antagonizing some of those very same donor-countries becomes impossible. By the end of the campaign, Fayyad was being asked to simultaneously support a national initiative of multilateral engagement and involvement while continuing to ensure the flow of capital and aid into Palestinian institutions.<sup>64</sup> A few months after the vote at the General Assembly, Fayyad called it quits.

For the Palestinians, however, this political attrition was a calculated cost on the path to the palpable outcomes of the UN campaign. Membership in UNESCO, the chance to threaten Israel and the US with membership in future organizations, the upgraded status at the UN, the political benefits of openly defying the US—all were net gains in the eyes of the Palestinian leadership. Today, it is clear that these leaders are striving to keep up the appearance of a united front, however, the shift to the internationalization track and subsequent UN campaign revealed more than a difference of opinions between the Palestinian leadership, it showed an

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<sup>64</sup> US constraints on aid to organizations that denote full-state status to the Palestinians is well-documented, and also well-known by the Palestinians: “When we studied these organizations we took into consideration the US congressional decision in 1994 about aid to these organizations, and we exercise our right in a very careful way. We believe that the donations from other countries are part of the obligations from the Oslo agreements. We do not believe we are breaking our agreements in going to the UN.” Interview with PA foreign ministry official, Ramallah, April 2013.

institutional rift within the Palestinian Authority.

## V. WHAT IS NEXT FOR THE UN CAMPAIGN?

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As a secondary track, the internationalization track has proven to be an effective facilitator for the resumption of the bilateral track. Such was the case in 1988, when the path to Madrid was established, and again in 1999, when Arafat’s threats of going to the UN and declaring a state were mitigated by the US arrangement of further negotiations. Such, too, was the case in July of 2013, when it was announced the Palestinians would resume negotiations with the Israelis.<sup>65</sup>

But what happens if the 2013 talks break down again? What is next on the international agenda? Palestinian bureaucrats have insisted they have a contingency plan, a list circulating the upper echelons with the names of international organizations to join. Various officials have hinted at going to the International Criminal Court (ICC) in order to pressure Israel on settlement construction, but is such a move more of a threat along the lines of psychological warfare, or is it a distinct possibility?<sup>66</sup> In Israel, the perception of the ICC move is that of a threat by the Palestinians, in Ramallah, the ICC is viewed as one of the last steps in an escalating political agenda.

What is more likely, then, is a Palestinian campaign involving some of the lesser treaties and conventions. For the risk-averse Abbas, signing onto conventions or treaties such as

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<sup>65</sup> In April of 2013, Abbas signaled that he would halt all internationalization efforts at the UN in deference to Kerry’s attempts to restart negotiations. “PA Delays UN Moves to Give Kerry a Chance,” *Al Monitor*, 7 April 2013.

<sup>66</sup> “Official: Palestine mulling ICC if UN takes no action on settlements,” *Ma’an News Agency*, 23 December 2012.

the Rome Statute or the Rights of the Child has the added advantage of showing Palestinian engagement with the internationalization track while simultaneously doing little to antagonize the US. According to one official, this fits in with the overall direction of the campaign:

“The ICC is definitely going to be the last thing we would do at the UN. The beginning of this campaign would be what we refer to as ‘the first clusters.’ These are the conventions, minor organizations, treaties, etc.”<sup>67</sup>

The internationalization track is not going anywhere. There is an increasing amount of momentum in the demands for what some Palestinian officials are calling an ‘integrated strategy;’ a utilization of the internationalization track and UN campaign coupled with tactics such as ‘smart resistance.’ This group continues its push towards a more consolidated approach to statehood, arguing in favor of leveraging the Palestinian position not to end the two-state solution, but to prevent the one-state outcome. According to one official, these are the seven largest obstacles facing the Palestinians right now:

- 1) An Israeli sense of comfort with the status quo; “there is zero incentive to change,” said one official.
- 2) The state of disunity in the Palestinian territories, re: Fatah and Hamas.<sup>68</sup>

<sup>67</sup> Interview, Ramallah, May 2013.

<sup>68</sup> “There’s such an imbalance of power, and in this imbalance of power the first task is to mobilize the people. Mobilize the people in the West Bank and Gaza to engage the resistance peacefully, and mobilize the people outside the territories to support. This is not happening, and it needs to happen. The division [Fatah and Hamas]

- 3) The shrinking role of the US in the conflict.
- 4) The shake-up of the regional order in the midst of the revolutions; “we cannot factor in Arab support right now, the people are rightly focused on their own countries right now.”<sup>69</sup>
- 5) The Palestinian Authority; “the PA has been an integral part of making the status quo comfortable for Israel.”<sup>70</sup>
- 6) The lack of an ‘integrated strategy’ for the Palestinian leadership (read: tensions between the two tracks).
- 7) The Oslo framework, the agreements (Paris, Cairo, etc); “they give the dominant party license to interpret these agreements however they want.”

Taken together, the obstacles described above represent a Palestinian viewpoint of the crisis facing the peace process. Many of these

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is why we are not able to attain this.” Interview, Ramallah, June 2013.

<sup>69</sup> “The regional order in the years of the bilateral process was really an order that was controlled by military autocratic leaders who based their judgments on one thing: self-preservation, and this self-preservation entailed one major policy: allying with the US. This was a major obstacle.” Interview, Ramallah, June 2013.

<sup>70</sup> “The PA was supposed to be the nucleus of the Palestinian essence, it was supposed to be a state in the making. Fayyad’s plan was supposed to turn a corner and show the international community that we can grow. Then we would get the Israelis out of their comfort zone, that all their obstacles for peace would be unfounded, and once we achieved that it would be easier for them to concede our state. This did not happen. The PA has gone from a national asset to a national burden. It’s a burden in terms of confronting the occupation. It’s a catch-22.” Interview, Ramallah, June 2013.

obstacles have been in place for years, and the search for an integrated strategy persists. The tension between the bilateral and internationalization schools appears to have lessened after the UN campaign, but the challenge remains: “how do we get these tracks to run parallel to each other?”<sup>71</sup>

The reconciliation attempts between the tracks, now, hinge upon an argument that the two tracks are not contradictory to each other. In the Palestinian perspective, there are tracks that contradict each other, such as armed resistance and negotiations, and there are tracks that can work in harmony together, such as the internationalization campaign and negotiations.<sup>72</sup> The uphill battle, then, is how to rally the leadership around this idea.

## VI. CONCLUSION

The Palestinian leadership has spent the past few years searching for a way to pursue their strategy more effectively and with more flexibility. Mahmoud Abbas, ever the man in charge in Ramallah, has shown a willingness to talk, but not negotiate. Stuck as the two sides were in a moribund peace process, Abbas’s vacillations appeared distracted, frenetic, unpredictable. But within these

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<sup>71</sup> “There is a tension between the two camps. The difference between the two is that the bilateral track is stuck in a framework that a peaceful settlement can only be achieved through Palestinian recognition of the 1967 borders and an Israeli state, that this recognition can only come through negotiations, and that America will play the role of the equalizer. These are the three premises of this track, whereas the multilateral track seeks to strengthen the position through multiple means, such as the internationalization campaign of 2011.” Interview, Ramallah, June 2013.

<sup>72</sup> For more on the integrated strategy, be sure to read the upcoming Palestine Strategy Group report, reported to be released in the upcoming summer/fall.

vacillations is a leader juggling the demands of the people with the pressures of a rising national agenda. Within the Palestinian leadership there is an emerging group of officials calling for a more ‘integrated strategy,’ a strategy that features a more holistic approach to the national agenda, that advocates tactics such as ‘smart resistance,’ and that utilizes internationalization efforts such as the 2011/2012 UN campaign. This group does not shun negotiations—it is willing to support Kerry’s efforts and has embraced the renewed negotiations—but it does seek to up the pressure: “A bilateral process does not mean that we do not pressure our opponent, it is not true that we can only make progress in the bilateral track by just making confidence building measures.”<sup>73</sup>

In the history of Palestinian political thought, there are distinct time frames and points of evolution. If the overarching strategy of the movement has been to attain statehood, the tactics in which to attain that statehood have fluctuated, to say the least. The dominant track of the past two decades recently gave way to the internationalization track and the UN, but even then Abbas showed a willingness to jump tracks rapidly, recently agreeing to resume preliminary negotiations in July 2013.

This study has shown that in the break down of the bilateral track in 2009 and 2010, the Palestinians were faced with a very limited number of realistic policy options. And in this quandary of political decision-making they turned to a process that started in 1974, evolved in 1988, was paused for nearly two decades thereafter, and resumed finally when their backs were against the wall. This study has also shown that this decision-making process was rarely, if ever, uniform, and that multiple debates and disagreements erupted at nearly every critical junction in this process.

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<sup>73</sup> Interview, Ramallah, June 2013.

If Abbas has changed, his negotiating stance will reflect that change.

Has Abbas gone from the man who wanted to sign an agreement to the man who did not want to set the precedent for relenting certain Palestinian demands? Precedents are increasingly powerful in negotiations, but what kind of precedent did the UN campaign set? If talks break down again, if the renewed negotiations reach another standstill, will the precedent of turning to the internationalization track dominate the Palestinian direction? Abbas himself told the Jordanian paper *Al Ra'i* that if talks break down: “all options are open,” referring to the UN bid explicitly as: “the most important achievement for Palestinians in the past years.”<sup>74</sup> The momentum in Ramallah surrounding the UN campaign suggests that, yes, if talks break down, the Palestinians are ready to embrace the internationalization track again.

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<sup>74</sup> “Abbas threatens ‘all options open’ if US-led diplomatic bid fails,” *The Times of Israel*, 22 July 2013.

## **IX. ABOUT MITVIM**

**Mitvim - The Israeli Institute for Regional Foreign Policies** is an independent think tank that envisions a fresh start for Israel among the nations. It aims to reshape Israel's relations in the Middle East, Europe and the Mediterranean, by promoting new paradigms for Israel's foreign policies, enhancing Israel's regional belonging, and advancing Israeli-Arab peace. Mitvim was established in 2011.

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**X. TIMELINE OF EVENTS**

<b>1974</b>	<p>PLO Ten Point Plan released, calls for rejection of Resolution 242 but leaves open political options for lands already "liberated"</p> <p>Arafat addresses UN for first time</p>
<b>1988</b>	<p>PLO and Palestine National Council issue declaration of independence</p> <p>Arafat addresses UN in Geneva, settles large debate within Palestinian leadership over involvement at the UN</p> <p>Days after UN speech, Arafat renounces violence in order to begin relationship with US, a tumultuous relationship that would lead to negotiations with Israel in the coming years</p> <p>The internationalization track is sidelined in favor of the negotiations track</p>
<b>1991</b>	The Madrid Conference is convened
<b>1993</b>	Signing of the Oslo Accords in Washington DC
<b>1999</b>	<p>End of five-year Oslo interim period, Arafat threatens to declare a state and return to the UN for recognition</p> <p>President Clinton succeeds and luring him away from this track by promising renewed negotiations</p>
<b>2004</b>	International Court of Justice ruling on the separation barrier
<b>2007</b>	<p>The Annapolis conference is convened to restart negotiations</p> <p>Palestine Strategy Group is founded, releases first report calling for a new strategy</p>
<b>2008</b>	Abbas refuses to respond to Olmert's proposal, perhaps hoping for a better deal with Livni and/or Obama
<b>2009</b>	<p>Operation Cast Lead and the resurgence of Netanyahu</p> <p>Abbas is faced with a dilemma, chooses to refocus Palestinian efforts through multiple areas of non-violent resistance, with the UN campaign at the fore. The internationalization track re-emerges</p>
<b>2010</b>	<p>After settlement moratoriums and the breakdown in talks in Amman in the Fall, Abbas turns to the Arab League for support in halting negotiations, announces intent to go to the UN</p> <p>Debate is settled within the Palestinian ranks over which to pursue first: Security Council or General Assembly. By 2010, the answer is Security Council</p>
<b>2011</b>	Fierce diplomatic campaign between the US, Israel and Palestine over the bid. Obama threatens veto and the plan is halted, Palestinians will go to the General Assembly the next year
<b>2012</b>	Vote is held in General Assembly, affirms Palestine's upgraded status as non-member observer state
<b>2013</b>	<p>In April, Abbas announces all efforts at the UN will be halted in deference to John Kerry's attempts to restart negotiations.</p> <p>Kerry announces the resumption of logistical negotiations in July in Washington DC</p>

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