

September obligations and possible scenarios

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Introduction:

Palestinians are working towards the UN General Assembly in September to gain membership and recognition of an independent Palestinian state on the 1967 borders. In light of this effort, the possible scenarios that may ensue are all on the table. The issues at hand are whether heading to the UN is part of a political strategy or is it seen as an alternative solution to the failed negotiations and the absence of any future possibilities in the Israeli-Palestinian political arena. In this context, the following questions are posed: what are the political ramifications of such a move in either case of its failure or success? What are the legal options for confronting Israeli and American efforts to foil this move by the Palestinians?

Overall Framework

Given the weakness of the Palestinian political position at present and the current political vacuum, it seems inevitable that ways should be found to fill this void through confronting the occupation in all areas and waging a political battle that would make a significant strategic change. The Palestinian move to head to the UN for recognition of their state and to gain membership comes within this context. This can only be considered as a new and different phase. There should be serious preparation for such a move to confront any backlash from Israeli, international and Arab parties. Many parties are concerned about what September may bring, especially Israel and the international community, which considers it a unilateral step not part of the negotiations framework. This is compounded by the unsettled situation in Arab countries and the possible reactions from the Arab street.

Hence, political actions can be framed in two options. First: going to the UN Security Council and requesting membership for Palestine from the Secretary General. Second: going to the General Assembly and applying for a change of Palestine's status from observer to member state.

Discussion of September as an alternative to negotiations is a double-edged sword. The move to go to the UN should not be cancelled should negotiations start up again because this would cost the leadership its credibility in the eyes of the UN and its own people. At the same time, the Palestinians should not be hostages to a negotiating process that is a waste of time.

There is also a lack of confidence in the leadership and political parties among Palestinians because of the lack of clarity in the leadership's position vis-à-vis the UN move. In addition there is ambiguity in terms of the defined characteristics of the Palestinian state. There needs to be unity of the Palestinian position in this regard especially since reconciliation between Fateh and Hamas has been postponed and disagreement over the choice of prime minister is still standing.

Recommendations

1. To move forward in diplomatic efforts to gain membership and recognition of a Palestinian state on the 1967 borders at the UN, regardless of the pressures exerted on the PA.
2. To look into ways of legally pursuing Israel in the ICJ and the ICC to hold it accountable for its crimes.
3. To seek a release from the restrictions placed on the Palestinian side such as the obligations of the interim stage, which now constitute obstacles to any transition into a viable Palestinian state in various aspects such as sovereignty over land and control over the local economy. This should be carried out in gradual and practical steps.
4. - Palestinians should strive to create a diplomatic "crisis-mode" with Israel and to isolate it at the international level such as reinforcing popular and national resistance. There are always new horizons for the national struggle as long as the methods are nonviolent, namely in the confrontation of settlements.
5. To create a framework for a new leadership to wage the battle of September. There needs to be a restructuring and reactivation of the PLO for this purpose.
6. To work towards creating a partnership between the private and government sectors in preparation for facing the "crisis-mode" to be created with Israel and the international community. This, among others, includes economic measures such as imposing Value Added Tax to Israeli products.
7. Palestinians should have a plan to counter Israeli parties that seek to foil the Palestinian move towards declaring their state.
8. - Any UN move should be accompanied by a popular movement whereby the people are partners with decision makers.
9. To end the division by forming a national conciliation government comprised of independent persons.