



**Civil society organizations:
A reconsideration of the national project and
courses of action amid the genocide**

**Discussed in the open debate - Challenges Facing the Palestinian
Political System**

20 November 2024

This paper comes within the context of the catastrophic repercussions of the genocide being waged on the Palestinians in the Gaza Strip. MIFTAH (The Palestinian Initiative for the Promotion of Global Dialogue and Democracy) held a number of meetings with Palestinian CSOs to discuss the necessary steps to revitalize their role amid the genocide in Gaza and Israeli crimes throughout occupied Palestine. Three sessions were held between March and June 2024, which discussed the European position, recognition of a Palestinian state, its ramifications within the context of the two-state solution, the US position and the relationship with Arab countries (Qatar, Egypt, Jordan, the UAE and Saudi Arabia), all which play a pivotal role in regional and international contexts. They also discussed international courts, the prosecution of Israeli crimes and how these reflect on the political solution. Considering the magnitude of the genocidal war waged against Palestinians, the meetings also opened the door to questions regarding our obligations vis-à-vis the sacrifices made, such as the direction we should take following this genocide.

In the Gaza Strip, Israel's genocidal war is carried out by its occupation army while in the West Bank is perpetrated by its settlers, settlement expansion and the system of apartheid. Furthermore, the genocide has honed in on the need to prioritize an end to the Israeli occupation and its control over the West Bank, Gaza Strip and Jerusalem. In this regard, this paper serves as a foundation for dialogue and debate over the role of CSOs in developing a unifying discourse on the shape and character of a Palestinian state.

The discussion revolving around a Palestinian state first surfaced at the 1973 Geneva Convention by the Palestinian national movement, after the "October War". This was followed by international action, which broached the issue of "the Arab-Israeli conflict" and the Palestinian cause, including the realization of a state. Extensive discussions were held within the framework of the PLO, with some factions adopting the idea while others rejected it on the premise that the state would be established on the 1967 borders, based on UNSCR242, direct negotiations with Israeli representatives, and a renunciation of armed resistance. The national movement remained divided on this issue and no real decisions were taken within the PNC until after 1982, with the departure of the Palestinian revolution from Lebanon, following the Israeli invasion that same year. Another factor was the financial crisis weighing on the PLO, meant to dry up its financial resources, an effort overseen by the Americans with cooperation from some Arab countries and which ultimately weakened the PLO. [1]

Based on this, the move by CSOs towards a state comes within the framework of the PLO vision to achieve an independent Palestinian state, embodied in an end to the occupation and the declaration of an independent state. While there were differences over details between CSOs and factions, there was near consensus over the idea of an independent state.

This move by CSOs stems from the 1988 Declaration of Independence^[2], which adopts the “establishment of the State of Palestine over our Palestinian land with Al Quds Al Sharif as its capital.”^[3] The premise of the document is the “natural, historical and legal right of the Arab Palestinian people to their homeland, Palestine and the sacrifices of its consecutive generations in defense of the freedom and independence of their homeland and based on Arab League resolutions. It is also rooted in the power of international legitimacy, embodied in UN resolutions since 1947 and in the exercise of the Arab Palestinian people of their right to self-determination, political independence and sovereignty on their land.” ^[4]

The idea of a state was publicly declared at the PNC after a series of side debates between the PLO, the Americans and other mediators, followed by agreement to establish a state in the West Bank, Gaza Strip and East Jerusalem. Yasser Arafat was appointed as president and Farouk Qaddumi as foreign minister. What was known as the ‘most important document ever’ was then formulated, the “Declaration of Independence” which is considered the primary frame of reference for the shape and content of the state. Based on this, the Oslo negotiations took place; secret talks which began in Washington and then moved in parallel to Oslo.^[5] While there were reservations by some Palestinian factions at the time, the reservations were over the recognition of Israel as a state and over demarcation of the Palestinian state along the 1967 borders. ^[6]

[1] Interview with Azmi Shuaibi, AMAN corruption affairs advisor, on June 22, 2024.

[2] *ibid*

[3] From the Palestinian Declaration of Independence, 19th session of the PNC, Algiers, November 15, 1988. See following link: <http://urlis.net/vitdzd7c>

[4] *Ibid*

[5] Azmi Shuaibi interview, previously mentioned

[6] *Ibid*

Some believed the problem was due to Hamas in regards to its approach to the Palestinian cause. However, this is allegation is completely incorrect. According to Hamas' May, 2017 declaration of principles and public policies (political program), regarding the establishment of an independent Palestinian state with Jerusalem as its capital on the June 4, 1967 borders, it was clear this document was a 'national and conciliatory formula.' It reaffirmed "there would be no concessions over any part of the land of Palestine irrespective of reasons, circumstances or pressure and regardless of the duration of the occupation." [7] Hence, this can be considered an entry point for an agreement with Hamas on the shape of the proposed state, according to the proposed document. [8]

Here, it should be noted that the differences in Hamas' proposal are identical to the reservations over recognizing the occupying power as an independent state named "Israel" and between full recognition first and then moving towards the the achievement of political gains. This is similar to the reservation voiced by the PFLP in 1988 when the establishment of the Palestinian state was declared in the Palestinian Declaration of Independence. [9]

[7] Palestinian Studies Institute: "Hamas releases declaration of principles and public policies in which it agrees to the establishment of a states on the '67 territory": Palestinian Studies Magazine, Edition 28, No. 111, Summer, 2021. Pg. 212. See following link: <https://urlis.net/o9hm1j7n>

[8] Interview with aforementioned Azmi Shuaibi

[9] Interview with Ashraf Abu Hayya, Al Haq legal advisor, on June 22, 2024

Experts have said that after October 7, 2023, Palestinians, whether CSOs or other institutions, Hamas and other movements, must set a goal worthy of Palestinian sacrifices and heroism. That is, they must set a clear political ceiling for an outcome that will achieve the political aspirations of the Palestinians. In other words, today, we cannot return to the situation prior to October 7, 2023, a point we must not disregard. At the same time, we realize this cannot be achieved overnight, but will take several years. [10]

Experts also stress on the imperative of reintroducing an independent Palestinian state to the civil action program, where the priority at this stage is to restore political rather than service-oriented consideration to CSO's. That is, all fields of expertise in CSOs must set a higher goal than services and social and economic rights at this stage, and must raise the ceiling of the discourse among CSOs. Some experts have maintained that this would require a popular referendum (pertaining to the shape and form of the state and the political option Palestinians want). They also pointed out that international law stipulates "the right to self-determination".

This means the legal foundation on which the move to realizing a state or not must be acknowledgement of Palestinian self-determination at the popular level. [11] In reference to the right of self-determination, it should be noted that at the international level, the ICJ issued an opinion on July 19 for the first time, stating that the Israeli occupation and Israeli settlement policy in the West Bank and East Jerusalem violates international law and that this occupation is illegal. [12] While this is an advisory opinion, it is nonetheless extremely important at the level of achieving the right to self-determination.

[10] Interview with Hani Masri, Director of Masarat (The Palestinian Center for Policy Research and Strategic Studies) conducted on June 23, 2024.

[11] Aforementioned interview with Ashraf Hayya

[12] BBC Arabic website: "ICJ says the Israeli occupation of Palestinian territory is illegal" published on July 19, 2024. See following link: <https://rb.gy/eaihdy>

The bottom line is that the Palestinian political system must accept that the situation cannot go back to what it was prior to October 7, 2023. There are new variables today, which cannot be ignored including the fact that the Palestinian cause has been restored to the forefront of the global arena and demands from the world to achieve safety and security in the Middle East. Furthermore, we cannot ignore the fact that today, Hamas is a key player in the Palestinian arena, which means that all the issues that could expedite solutions must enjoy consensus and unified action. Al Masri actually believes that Hamas joining the consensus in any shape or form within a unifying program, would be reassuring both locally and internationally.[13]

MIFTAH's meetings with CSOs all confirmed a number of points that require attention and action in the coming phase in order to achieve a higher political goal regarding the realization of a state, including:

1. Confirming the need for legislative and presidential elections
2. Formulating a response to the US reform project, whereby it also puts pressure on Israel and not only on the PA, on the premise that reform is not only a matter for the PA but also includes Israel.
3. A proposal must be formulated to pressure the PLO and the President's office on the need to unify the PA in the West Bank and Gaza Strip and to bring Hamas into the PLO in a dignified manner.
4. Regarding the Palestinian discourse among CSOs, there must be an understanding, which addresses political and rights aspects and which MIFTAH will formulate in participation with rights experts and in consultation with the committee of experts, to be discussed in the next meeting.

[13] Abovementioned interview with Hani Masri

MIFTAH formulated a number of tracks in need of action under the current Palestinian reality under occupation.

Track One: consolidating institutions working between the West Bank and Gaza Strip

At this stage, civil society has two important courses of action before them, considered the focal points of civil society interventions:

One: Involvement in advocacy for the Palestinian cause at the international level, by increasing pressure on international organizations and global centers of decision-making to press Israel to halt its war on the Gaza Strip.

Two: Providing urgent relief to the Palestinians in the Gaza Strip, including food, medical and other aid such as providing places of refuge and vital services such as infrastructure, water and public facilities.

Track Two: Leading national dialogue for the formation of a National Council of Experts

CSOs shall agree on a definition of the Council of Experts and the criteria for choosing national and legal persons, should Track 1 fail, especially in light of the present dangers due to the deteriorating economic, political and social conditions:

1. Consensus among civil society on the leadership of a comprehensive national dialogue for all active political forces in Palestinian society, to be achieved gradually over several phases, most importantly calling on political forces to fulfill their responsibilities to society.
2. Informing Palestinian public of the content of the national program, including specifics for an exit strategy from this crisis, including a political, economic and social recovery plan for Palestinian society.
3. Formation of a committee of experts comprised of trusted political, social and legal activists and personalities including newly introduced women and youth, active in defending the Palestinian cause. The committee must also guarantee representation of social sectors.

4. Formation of public platforms to connect with the Palestinian public and inform it of developments regarding the implementation of the national program.
5. Involvement of the committee, its activists and political forces in dialogues with top decision-makers around the world to determine the shape and form of the day after, which Palestinians want.
6. Follow-up on urgent matters in Palestinian society and determining priorities for political interventions on urgent files, including the reconstruction process and granting highest priority to sectors of Palestinian society most in need.
7. Formulating the specifics of a financial plan designed to support Palestinians in the Gaza Strip and West Bank; reinforcing monitoring mechanisms on spending and mechanisms to achieve the optimum benefit from financial disbursement and ensuring access to beneficiaries.
8. Institutionalizing communication centers supporting the committee of experts, which would provide the committee with current and developing requirements and demands among Palestinians.

Track Three: leading a community and public dialogue on interventions in the next stage

Based on the capacities within Palestinian civil society and the network of grassroots organizations in the Gaza Strip and West Bank, the role of the public must be revitalized through integrating the populace in the process of community dialogue. The objective of this process is to create awareness around the need for intervention at the policy level and on formulating community, economic and political priorities aimed at alleviating the suffering in Palestinian rural and urban areas.

This track has specific characteristics in leading community dialogue at the grassroots level. This dialogue also allows for attempts at interventions to expedite the recovery process, given how Palestinian areas have been exposed to violence, oppression and mistreatment, albeit in varying degrees. Hence, Palestinian areas can be divided according to the extent of damage they have incurred and thereby develop interventions that would render the recovery plan more successful and balanced.