

وقطاع رسالة من رؤساء البلديات وشخصيات في الضفة الغربية ١٩٧٨ غزة إلى القس الأمريكي جيسي جاكسون، تشرين الثاني

وقطاع غزة إلى رسالة من رؤساء البلديات وشخصيات في الضفة الغربية
في تشرين القس الأمريكي جيسي جاكسون، خلال زيارته إلى فلسطين
الرافض للتسوية الثاني ١٩٧٨. توضح الرسالة موقف رؤساء البلديات
السلمية.

1978
1978
November, 1978.

To :

From : MAYORS AND LEADING CITIZENS OF PALESTINIAN CITIES
AND TOWNS IN THE WEST BANK AND GAZA.

Dear

Since the Camp David agreements were published, we have witnessed extraordinary efforts being made, especially by American officials and diplomats, to try to get leading Palestinians in the occupied territories to take part in the negotiations and transitional arrangements envisaged in the so-called "frame-work for peace". That this is a wrong-headed way of going about the search for peace will not, we feel sure, have been lost on opinion in your country and elsewhere. Nearly everyone has now accepted that there can never be peace in the Middle East without a "resolution of the Palestinian problem in all its aspects" (to use the language of Camp David). Nearly everyone agrees that this is central to the whole issue of peace between Israel and the Arab World.

Your officials have been instructed to avoid contact with the PLO, as though they were lepers or pariahs instead of the acknowledged leadership of a people struggling to live as free men and women in their own land. In U.N. bodies your representatives have attempted to frustrate the General Assembly's decision which accorded observer status to the PLO and have tried - in vain - to stem the growing support for the Palestinian cause in international circles.

Can you not see that this seems to us a very odd way of seeking a solution which, as the Camp David agreements rightly say, must "recognise the legitimate rights of the Palestinian people and their requirements" ?

However, our purpose in addressing this letter to you is not recrimination. There is indeed much to anger and dismay Palestinian opinion in the Camp David agreements. Their terms and procedure are unacceptable to us.

2.

That is why we are writing to you, to explain in some detail our attitude to the so-called "Framework for peace" ~~xxxx~~ contained in the Camp David agreements, and to enlist the support of your Government and people for our aims.

"The final status of the West Bank and Gaza"

This is of course crucially important to us since it raises the fundamental question of Palestinian self-determination and whether the exercise of this right is to be genuine or a sham. The agreements provide that "negotiations will be conducted among Egypt, Israel, Jordan and the elected representatives of the inhabitants of the West Bank and Gaza" to determine the final status of these areas.

Now our concern is this: Suppose that Palestinian representatives - elected under new terms - decide that the final status of the West Bank and Gaza shall be that of a fully independent Palestinian State, but Israel objects and seeks to obstruct the decision of the Palestinians regarding their own future? Does Camp David mean (as has been widely assumed) that Israel will have a power ~~of~~ veto in this respect? Or is Israel's part in deciding this issue limited to having a voice, but not a veto? Are we to understand that the issue must be resolved in accordance with "the provisions of the Charter of the United Nations and the other accepted norms of international law and legitimacy" (as indicated in the preamble ~~to~~ to the Camp David agreements) and that Israel's capacity to affect the outcome of the negotiations is thus circumscribed by the "respect for the principle of equal rights and self-determination of peoples" which is enjoined by Article 1, paragraph 2, of the Charter?

In the circumstances we envisage, could we rely on the support of your Government for this interpretation?

We know you will understand that we Palestinians do not and never will accept that another people should decide for us our claim to nationhood and independence. It is for us to decide whether we wish to establish our own national state on

our own soil; and it is then for the international community as a whole to decide whether that state should be accorded recognition and accepted into the comity of nations.

If Camp David does indeed mean that Israel is to be given a veto over the final status of the West Bank and Gaza, that is not a position that we can possibly accept, nor could any reasonable person expect us to accept it.

As international relations have now developed, the crucial test of independent nationhood is admission to membership of the United Nations. This is regulated by Article 4 of the United Nations Charter, which provides that it "will be effected by a decision of the General Assembly upon the recommendation of the Security Council". Let us suppose now that, under new arrangements, Palestinian representatives have been elected and take part in negotiations about the final status of the West Bank and Gaza. Let us further suppose that a deadlock ensues because the Palestinians insist on an independent Palestinian state and Israel purports to veto it. At that stage there will be nothing to prevent the Palestinian self-governing authority from declaring the West Bank and Gaza to be an independent Palestinian state and from then by-passing the restrictions of Camp David by applying directly to the United Nations for admission to United Nations membership.

Can we assume that, as a permanent member of the Security Council, your Government will then give us its full-hearted support ?

These are practical issues for us when we are asked to define our attitude towards the Camp David Agreements, and they go to the heart of the problem. They are of crucial importance to us and other Palestinians in deciding what our course should be in the confused and dangerous circumstances which others have now created.

"Full autonomy"

The Camp David agreements purport to provide for a Palestinian "self-governing" authority" in the West Bank and Gaza and for the inhabitants to have "full autonomy".

But we ask : How self-governing is "self-governing" and how full is "full autonomy" ? Here again it is not enough to tell us: Get into negotiations and you will find out. As we have explained, autonomy is no substitute for sovereignty in the West Bank. Moreover, genuine autonomy must plainly mean that inter alia the Palestinian authority would have power :

- to permit the formation of political parties and the conduct of political activities, provided only that these did not involve violence or jeopardise external security;
- to permit the publication of newspapers and the operation of other news media, provided that these did not advocate violence;
- to safeguard civil liberties, human rights and freedom of expression and to review and remedy violations of these rights and liberties which had occurred during Israel's military occupation, including the detention of persons on security grounds by Israeli military courts;
- to decide on the use and expropriation of land, including state land, for public or communal purposes;
- to license and control the erection of buildings, the construction of roads, the use and development of water resources and the provision of public utilities;
- to review, amend or revoke any dispositions of land or water resources which the Israeli authorities had made during Israel's military occupation in violation of the Fourth Geneva Convention.

The promise of self-government and full autonomy contained in the Camp David Agreements would be meaningless if the proposed Palestinian authority were not to exercise powers of the kind outlined above; in addition, it would not be acceptable to the Palestinian people as an alternative to sovereignty. "Jerusalem"

We note that, although Jerusalem is not specifically covered in the Agreements, it was the subject of a subsequent exchange of letters between the three governments. The position of the

5.

United States clearly implies that East Jerusalem and the adjacent area which Israel purports to have annexed is regarded by the United States as part of the West Bank and is therefore subject, like the rest of the West Bank, to the provisions of United Nations Resolution 242 relating to the inadmissibility of the acquisition of territory by war, to which the Camp David agreements adhere.

Can we assume that this is also the position of your Government ?

We have not of course failed to take note of the uncompromising statements about Jerusalem made by Mr. Begin and Mr. Dayan since the Camp David talks took place. These would seem to be designed to rule out in advance any Israeli withdrawal from Jerusalem and hence to make it impossible for any Palestinian ever to enter into negotiations with them. Perhaps that is indeed precisely what they are aiming at. We hardly need to emphasize to you that no Palestinian and few, if any, other Arabs will ever accept or cease to struggle against continued Israeli occupation of Arab Jerusalem. Quite simply, if Israel persists in this, there will be no peace - whatever paper treaties anyone may concoct or sign.

"Refugees"

The agreements distinguish between the displaced persons who were uprooted in 1967 and the refugees who were uprooted in 1947-1948. The former (who of course include many of the original 1948 refugees) will have "the modalities of their admission" - surely "return" would have been the right word ? - decided by agreement in a continuing committee consisting of representatives of Egypt, Israel, Jordan and the Palestinian self-governing authority. As for the original refugees, "Egypt and Israel will work with each other and with other interested parties to establish agreed procedures for a just and permanent implementation of the resolution of the refugee problem".

As regards the 1967 category, the Security Council,

in adopting a Resolution (No.237) a week after the end of the June War, called on the Government of Israel "to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities". For over ten years past Israel has failed to respond to this appeal (except for the abortive arrangements which Israel suddenly suspended in the summer of 1967 after only some 14,000 displaced persons had been allowed to return).

We ~~also~~ ask you therefore to make an intensive effort to secure the implementation of this resolution.

As for the 1948 refugees we ask you to reaffirm your Government's commitment to the General Assembly Resolution 194(III) of December 1948 which promised that the refugees would be given a choice "at the earliest practicable date" between returning to their homes to live in peace with their neighbours or receiving compensation for their property and help in resettling themselves elsewhere?

Nothing in the whole shameful history of Israel's wrongdoing towards the Palestinians is more wicked and more cruel than its obstruction, prolonged over thirty years, of the simple right of the refugees uprooted in the conflict in 1947-1948 to return to their homes or, if they preferred, to receive compensation and help in resettling themselves elsewhere.

We send you the respectful greetings and good wishes of the Palestinians living under enemy occupation in the West Bank and Gaza.

Sincerely yours,

Mayer of

Mayer of

Mayer of

Mayer of

Mayer of

Mayer of

