

PA Makes Demands of Biden; Here Are Demands He Should Make of Them

by Hugh Fitzgerald



On December 23, 2016, as a parting shot from the anti-Israel Obama administration, U.N. Ambassador Samantha Power did not veto, but did as instructed by Washington, and voted to abstain on U.N. Council Resolution 2334. It was the first time the U.S. had not used its Security Council veto to block such an egregious anti-Israel resolution. “PA wants Biden to reverse ‘anti-Palestinian’ decisions,” by Khaled Abu Toameh, [Jerusalem Post](#), November 22, 2020:

“We have received assurances that the new US administration would adhere to UN Security Council Resolution 2334,” the official [an unnamed PA official] said.

The resolution, adopted in 2016, states that settlement activity constitutes a “flagrant violation” of international

law and has “no legal validity” and demands that Israel fulfill its obligations as an occupying power under the Fourth Geneva Convention.

Now it is time for Israel to engage with incoming Secretary of State Tony Blinken, who is the most pro-Israel among Biden’s advisors (another pro-Israel advisor is Jake Sullivan, who is set to become the National Security Adviser), and to discuss what Israel in the past has not presented forcefully or convincingly enough. That is, the Israelis must make clear that the basis for Israel’s claim that the settlements are legal is twofold. First, and most important, is the Mandate for Palestine, according to which the entire West Bank, and therefore the “settlements” in the West Bank, are to be part of the Jewish National Home. According to that Mandate, all the land from the Golan Heights in the north to the Red Sea in the south, and from the Jordan River in the east, to the Mediterranean in the west, was to be included in the future Jewish National Home. A second, independent claim, this one to part of the “West Bank,” is based on U.N. Resolution 242, which gave Israel the right to determine for itself what territories, won in the Six-Day War, it would have to hold onto in order to have, as UN Resolution 242 specifies, “secure [i.e. defensible] and recognized boundaries.” It clearly did not mean a return to the 1949 armistice lines, which the Resolution’s author, Lord Caradon, described as a “rotten line.” The resolution’s wording carefully insisted that Israel did not have to withdraw from “all the territories” – the wording the Arabs tried and failed to have adopted – or “the territories,” but only from some “territories” occupied in the recent conflict (the Six-Day War).

The “flagrant violation” of international law mentioned in U.N. Resolution 2334 was being committed not by Israel but by those states that voted for that resolution in the Security Council, a resolution which flies in the face of both the Mandate for Palestine, with its insistence that the Mandatory

encourage “close settlement by Jews on the land,” and of U.N. Resolution 232. Furthermore, the Fourth Geneva Convention, which Israel is accused of violating in UN Resolution 2334, does not apply to the situation in the West Bank. Israel has convincingly argued that the settlements are not in violation of the Fourth Geneva Convention since, in its view, Israeli citizens were neither deported nor transferred to the territories, and the settlements in the West Bank cannot be considered to have been “occupied territory,” since there had been no internationally recognized legal sovereign in the West Bank previously. When Jordan held that territory from 1949 to 1967, it did so not as a sovereign, but only as a military occupier. In the kangaroo court of the U.N., with Israel perennially in the dock, it’s hard for the Israelis to have their arguments heard. Anti-Israel minds are made up, and don’t wish to be bothered with such things as the Mandate for Palestine, or U.N. Resolution 242, or the correct application of the Fourth Geneva Convention. The American government, however, can and should take the time to study the Palestine Mandate (especially the Preamble and Articles 4 and 6), and its maps, and U.N. Resolution 242, with the exegetical commentary on it by its main author, Lord Caradon.

The Palestinian officials told the Post that the recent decision to restore relations with Israel, including security coordination, and [to] return the Palestinian ambassadors to Bahrain and the United Arab Emirates were aimed at paving the way for conducting a “positive and constructive dialogue” with the Biden administration. The move, they added, is also aimed at improving Palestinian relations with some of the Arab countries, especially the Gulf states.

The PA, which has been boycotting the Trump administration since December 2017, will resume its contacts with Washington after Biden assumes office, the officials said.

When the PA leaders recently restored relations with Israel,

they were not doing any favors for Israel or the US – as they now claim – but were merely looking out for themselves. Since the latest Hamas-Fatah agreement had collapsed, the PA realizes that Hamas, as well as the PIJ (Palestinian Islamic Jihad) will again pose a threat to it in the West Bank, and therefore it needed to reestablish security relations with Israel, which includes the sharing of intelligence between the PA and Israel on Hamas and PIJ operatives in the West Bank.

Similarly, the sending of the PA's ambassadors back to the UAE and Bahrain has nothing to do with "helping to enter" into a "positive and constructive dialogue" with the Biden Administration. That's what the PA describes it as, in order to win points in Washington. The return of the ambassadors has everything to do, rather, with the PA's reluctant recognition that the Arab states are no longer interested in making the Palestinian issue the center of their foreign policies; the UAE and Bahrain were infuriated by the Palestinian criticism of their "normalization of ties" with Israel, which included such scurrilous accusations as their having "betrayed" the Palestinians and "stabbed them in the backs." Protests by the Palestinians that went viral, showing the flags and rulers of both the UAE and Bahrain being defaced, stomped on, and set on fire, did the Palestinians no good. And at the same time, in one of his tantrums, Mahmoud Abbas called back the PA ambassadors from Abu Dhabi and Manama, to convey his displeasure. Now the PA has finally realized how much damage it has done to its relations with those states, and sending the P.A. ambassadors back to the UAE and Bahrain is an attempt to calm the waters.

When the PA says it is "prepared to review" its Pay-For-Slay program, that provides generous stipends to terrorists and their families, it describes a change in that program as a "concession" to win the favor – and above all, the money – that the Biden administration may hand over. It is not a concession. It's a moral necessity, and is no more deserving

of being rewarded than is the killer who promises to kill no more and expects to be rewarded for his promise. The PA has no compunction about giving lifetime stipends to terrorists and their families, but it may now want even more for Biden to turn on the spigot of American aid. It also hopes that if it modifies the Pay for Slay Program, the Israelis will then transfer the full amount of the tax money they collect for the PA, without deducting the sums the PA spends on the program. It's hard to see how either Jerusalem or Washington could possibly be satisfied with anything less than a total shutting down of "Pay-For-Slay," and it is just as hard to see the PA actually doing that.

I suspect Mahmoud Abbas will string the Americans as long as he can, claiming that "we are discussing how to modify our program to be fair to all concerned." The PA's Qadri Abu Bakr, in charge of stipends to prisoners and their families, has announced – but did so only in the English version of his remarks, which is directly contradicted by the Arabic version! – that the PA is considering making these subsidies to terrorists and their families unequal, based on "need." A "safety net" for poor but deserving terrorists. Better-off terrorists and their families will be given less. Think of all those imprisoned terrorists, or the families of dead terrorists, filling out their financial aid forms. It's an SNL skit. Even for the Biden Administration, such a paltry modification should not be enough to turn on the aid. Mahmoud Abbas is going to have to get rid of Pay-For-Slay, period. How likely is that?

Moreover, the Palestinians have also hinted that they are prepared to suspend their campaign to join various UN bodies and international conventions and end anti-Israel incitement in schools and PA-controlled media.

The PA has not gotten very far in its attempts to join UN bodies. After many years, it still remains a non-member with

observer status at the General Assembly. It has managed to become a member of UNESCO. But there are many UN bodies which it has not managed to join. The Palestinians' feeble campaign has gotten a lot feebler *pari passu* with the increased indifference to them among Arab states now more interested in pursuing their own national interests (*viz.*, the UAE, Bahrain, Sudan, with several more to come) than in doing the Palestinians' bidding. Given all that, it's not much of a concession for the PA to say they might "suspend their campaign to join various UN bodies." And it should not be considered a "concession" to the Biden administration to "end anti-Israel incitement in schools and PA-controlled media." That was a commitment the PA made long ago. It was supposed to have made its "overhaul" of the curriculum and textbooks used in PA and UNRWA schools back in 2000. But changes were imperceptible, and little has changed since the second claimed "overhaul" in 2019 by the PA of curriculum and textbooks; an outside study by the research group IMPACT-se in 2020 found that all textbooks in social studies, history, Arabic and national education for grades two to 12 contained problematic content, defined by IMPACT-se as "violence or incitement to violence; hatred of the other; and radical, inappropriate or disturbing content." Antisemitism and glorification of terrorism are still present in the schoolbooks and in the wider culture.

Now the PA, after decades of anti-Israel incitement in its schools and in the PA-controlled media, claims that, having made these promises many times before, this time it really means it. This time it will end the anti-Israel incitement in schoolbooks and the PA's media. Why, since the PA has sworn to do this so often before, beginning in 2000, should the Biden administration believe them now? The Americans can take nothing on faith. They should examine carefully the textbooks in both PA and UNRWA schools, making sure they are now devoid of anti-Israel and antisemitic passages. They should study, too, the the curriculum and lesson plans offered from grades

1-12. They should monitor the PA-controlled media for similar incitements. Let this monitoring of the Palestinian schools and media go on for two-three years, and if they are then deemed to have met the standards set by the American government, only then should Washington begin to discuss the “possibility” of renewing some modest financial aid – not the hundreds of millions of dollars that the PA thinks it should receive as by right – which, if any anti-Israel or antisemitic material again creeps back into the textbooks, the lesson plans, the children’s shows and other media, will not be forthcoming. The Palestinians won’t like that? Too bad.

As the Palestinians are preparing a laundry list of “demands” for the Biden Administration, it seems only fair that the Biden Administration should prepare its own list of “demands” for the Palestinians. Here are a handful of suggestions:

1. WE DEMAND an end, not a modification of, the “Pay for Slay” program. It doesn’t matter if the recipients are to now receive money based on financial need rather than on length of their prison sentences – with those guilty of the worst crimes given the longest sentences by Israel, and the largest stipends by the PA. All amounts given to terrorists or their families are to be halted.
2. WE DEMAND an end to the naming of streets and squares after terrorists, and the removal of the names of terrorists that have already been given to such places. No glorification of terrorists can be permitted. An example of this is the square named after Dalia al-Mughrabi, the terrorist who was responsible for the 1978 hijacking of a bus and the cold-blooded murder of 35 Israelis. It’s not enough to end financial incentives to terrorists. It is unacceptable that they be treated as heroes who deserve to be memorialized.
3. WE DEMAND that the PA to immediately rewrite its textbooks so as to remove all anti-Israel and antisemitic content. This is something the PA has been

promising to do – has said it was doing – since 2000. But recent studies by the NGO IMPACT-se shows that the incitement to violence and hatred against Israelis and Jews remains in the textbooks.

4. WE DEMAND that the PA-controlled media stop their incitement to violence, including the murder, of Israelis. This is especially important for the Children's Shows, where preschoolers sing songs about killing Jews and, still sweetly smiling, imitate stabbing motions. The PA has repeatedly promised that such changes would be made, but again the promise has not been fulfilled. We cannot begin to think of renewing any financial aid for the Palestinians unless this incitement to hatred and murder is completely removed from the PA's media. We will increase our monitoring of the PA media outlets, including newspapers, radio, television, and on-line material, to ensure compliance.

Those are a few of the non-negotiable demands that Washington should make of the PA. No doubt you've thought of others; feel free to post them below.

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