

## **A Decree from the President of Palestine that makes sense**

*Moving from a state of internal chaos to structural reform.*

By Sam Bahour



The Palestinian political system is in a self-inflicted free fall. The results may be catastrophic for the just Palestinian struggle for freedom and independence. Most of the Palestinian people are looking on with utter despair, not only those living under Israeli military occupation in Palestine (West Bank, East Jerusalem, and Gaza Strip), but also those living in Israel, refugee camps in Lebanon, Syria, Jordan, and amongst the diaspora worldwide. If corrective action is not immediately taken, Chairman Abbas and all the members of the Executive Committee of the Palestinian's political agency, the Palestine Liberation Organization (PLO), will be to blame.

The dire situation is not the immediate result of the Palestinian President and Chairman of the PLO's flurry of recent controversial Presidential Decrees and Laws by Decree, rather it is an accumulation of decades of mistakes, mishaps, decisive and destructive partisan politics, forced geographic separation, and direct external intervention by foreign governments in Palestinian domestic affairs. Now, more than ever, is the time for President Abbas to admit failure and attempt to pick up the pieces of the Palestinian political system.

In a recent opinion piece titled, [The PLO is about to self-destruct by ballot box](#), I laid out in detail the political dangers of the current moment. Here, I attempt to propose a constructive way forward. What follows is a proposed first step President Abbas could take to begin the

urgently needed corrective action. In addition to revoking the recent barrage of decrees he issued which has sparked outrage at the individualism in his actions, the bulk of what is proposed below were included in my [Open Letter to Chairman of the PLO and President of the State of Palestine, Mahmoud Abbas](#) on July 6, 2019. Now is not the time to hold leaders accountable, that will surely come, but now is the time for corrective action.

Below is a proposed Presidential Decree Abbas can issue tonight to start the process of getting the Palestinian political house in order. I urge him to only issue such a decree after making publicly clear that, 1) He will not run for any office in the future, 2) that he views the decree not as words on paper, but a plan of action that he will do all in his powers to implement.

**Presidential Decree No. ( ) for the year 2021 (Proposed)  
Regarding the Restoring of the Palestinian Political System**

President of the State of Palestine  
Chairman of the Executive Committee of the Palestine Liberation Organization  
According to the Basic Law of the Palestine Liberation Organization, and the amended Basic Law of 2003 and its amendments,  
And after reviewing the Declaration of Independence document issued by the Palestinian National Council,  
And based on the powers vested in us, and in the interest of the public,

The following decree was issued:

**Article (1)**

Cancel Decree by Law No. (7) for the year 2021 amending Law No. (1) for the year 2000 regarding charitable societies and non-governmental organizations and its amendments.

**Article (2)**

Cancel Decree by Law No. (1) for the year 2021 to amend Decision Law No. (1) for the year 2007 regarding general elections.

**Article (3)**

Cancel Decree by Law No. (41) of 2020 regarding administrative courts.

**Article (4)**

Cancel Decree by Law No. (40) of 2020 regarding the amendment of the Judicial Authority Law No. (1) of 2002.

**Article (5)**

Cancel Decree by Law No. (39) of 2020 regarding the formation of regular courts.

**Article (6)**

Cancel Decree No. (6) of 2021 regarding allocating a number of seats in the Legislative Council to Christian citizens.

**Article (7)**

Cancel Decree No. (3) of 2021 regarding the call for legislative, presidential and National Council elections.

### **Article (8)**

Suspend Law of the Supreme Constitutional Court No. (3) of 2006 and deem the court's decision to dissolve the Palestinian Legislative Council null and void.

### **Article (9)**

Effective immediately, the reinstatement of the Palestinian Legislative Council elected in 2006 and any deceased elected officials or elected officials imprisoned by Israel may be replaced by their representative electoral slates. For any seats unable to be filled for any reason within 30 days of this decree, proportional representation based on the 2006 election results will be used among the electoral slates of 2006 to allocate any empty seats.

### **Article (10)**

1. Establishment of a temporary Palestinian Salvation Front sponsored and hosted by the PLO, but not part of PLO since it will include persons who are not yet PLO members. This Salvation Front will comprise of Palestinians (as defined by the PLO Charter) from:
  - a. The Secretary Generals of all PLO political parties
  - b. The Secretary General of Hamas
  - c. The Secretary General of Islamic Jihad
  - d. The President of the Palestinian Legislative Council
  - e. The heads of all Palestine-based and duly registered unions and associations with over 500 active members as of the date of this decree, which have held their board elections within twelve months of the date of this decree.
  - f. Five independent, civil society members, chosen in a preparatory meeting before the first meeting of the Palestinian Salvation Front by all the members as stated in 1(a)-1(e) above, and by simple majority vote, residing in and to represent the following geographic areas, one representative per region:
    - i. Lebanon
    - ii. Jordan
    - iii. North America
    - iv. South America
    - v. Europe
2. The mandate of the Palestinian Salvation Front will be limited to:
  - a. Appointing a caretaker government until PLC elections are held and a new government is formed.
  - b. Support their appointed caretaker government to prepare for elections stated in Article (14) and Article (15) of this decree.
  - c. Appointing the board and approving the budgets of the Palestine Solidarity Agency (PSA) as noted in Article (17) herein.
3. The Palestinian Salvation Front will dissolve as soon as next elections for the PNC are final.

### **Article (11)**

The following persons are appointed to the listed positions of each respective organization:

1. Acting Deputy Chair of the PLO: Refugee, Gazan, Ambassador Dr. Nasser al-Qudwa.
2. Acting Deputy President of Palestine: Prisoner Marwan Barghouti.

### **Article (12)**

Adopting the Palestinian Political Parties Law (as endorsed by the Council of Ministers Cabinet December 2007) to allow new political groupings to assemble.

### **Article (13)**

The mandate of the Central Elections Commission (CEC) will be broadened to register every Palestinian 18 years old or older worldwide.

### **Article (14)**

1. Palestinian Legislative Council (PLC) Elections to be held no later than 31/12/2021.
2. Elected PLC members will not be granted automatic membership in the PLO or otherwise.

### **Article (15)**

Complete Palestinian National Council (PNC) and simultaneous Presidential elections to be held on 15/11/2022, using direct, free, and fair voting where possible, or other representative means where direct, free, and fair elections are deemed impossible.

### **Article (16)**

Establishment of a Commission to recommend a revised mandate for the Palestinian Authority/Palestinian National Authority/Palestinian Government aimed toward a liberation and state building strategy, understanding that the Palestinian Authority/Palestinian National Authority/Palestinian Government is only responsible for those Palestinians living in the West Bank, East Jerusalem, and Gaza Strip and is not the Palestinian political agency.

### **Article (17)**

Establishment of a new Palestinian agency, the Palestine Solidarity Agency (PSA), to lead the global solidarity movement for Palestine. A 15-member board will be appointed by the National Salvation Front and this agency will report to the Chairman of the PLO and be allocated a budget, as approved by the PSA Board until such a time a new PLO Executive Committee is formed.

Mahmoud Abbas

President of the State of Palestine

Chairman of the Executive Committee of the Palestine Liberation Organization

This is a political article and am not a lawyer so I am fully aware that all the above require proper legal articulation and must be properly processed through official channels, however the point here is that where there is political strategy and will, legal ways can be found to respect institutional integrity.

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<https://epalestine.blogspot.com/2021/03/Decree-from-the-President.html>