

# Assessing the State Department Report on Palestinian Compliance:

## Modest Improvements, Glaring Omissions

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### ABOUT THE AUTHORS



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### Brief Analysis

**O**n September 12, in the media haze of the September 11 terrorist outrages, the State Department delivered to Congress the semi-annual report assessing PLO and Palestinian Authority (PA) compliance with their "peace process" commitments. On the plus side, this document—the first covering a period on the watch of the Bush Administration—goes further than any previous report in citing PLO/PA acquiescence and even connivance in acts of violence. Regrettably, however, it follows the pattern of previous reports in failing to provide a full and unvarnished appraisal of PA/PLO compliance with its anti-terror, anti-violence and anti-incitement responsibilities.

### Background

In compliance with the Palestine Liberation Organization Commitments Compliance Act (PLOCCA), the State Department submits to Congress a semi-annual document reporting on Palestinian adherence to the 1993 Oslo Accords and subsequent agreements with Israel. While PLOCCA is strictly a "reporting requirement"—it does not specify any penalties for Palestinian violations—the language of this Act does specify that the U.S.-PLO dialogue should be contingent on the PLO meeting several obligations, including: 1) the recognition of Israel's "right to exist"; 2) a commitment to a "peaceful resolution of its conflict with Israel; 3) a renunciation of the "use of terrorism and other acts of violence," 4) a PLO assumption of responsibility over "all PLO elements and personnel" and 5) an agreement to strengthen security cooperation with Israel.

The previous PLOCCA report covered the period from June 15-December 15, 2000, which included the first two months of the Israeli-Palestinian violence that has come to be known as the Al Aqsa Intifada. The main finding of that report was that it was "difficult to determine whom [sic], if anyone, planned specific instances of anti-Israeli violence." While the report determined that the Fatah Tanzim "certainly encouraged violence," it pointed out that "the degree of responsibility by senior PLO and PA officials was less clear." That assessment appeared to contradict the statements of senior U.S. officials, including then-Secretary of State Madeleine Albright, who at the time publicly criticized top Palestinian leaders, including PA Chairman Yassir Arafat, for encouraging fighting and for not "exercis[ing] more control.

## PLOCCA in the Bush Administration

The new PLOCCA report—the first issued for a period under the Bush Administration's management of Middle East policy—adopts a different tone than its predecessors, evincing a greater willingness to identify an official PA/PLO role in anti-Israel violence. While the report points out that senior Palestinian leaders condemned certain acts of violence, for example, it also notes that the PA/PLO "did not call for an end to all forms of violence." Moreover, it notes that the PA "had at least tolerated an atmosphere that promoted or supported the use of violence." In this regard, PLOCCA duly cites PA and PLO influence on Palestinian television, which, it says, has had the effect of "inciting Palestinians to violence."

More importantly, the report singles out the Fatah Tanzim, Force 17 and "members of other security forces" for their involvement in anti-Israel violence. Although the report does not specifically implicate the Palestinian government—the PA/PLO—as such in these activities, it does note that "it is clear that these armed elements were not disciplined." In summation, the report states that the PA/PLO "knew of Tanzim and Force 17 involvement and did little to rein them in."

### Omissions and Inadequacies

Despite these improvements, the current PLOCCA report still suffers from the same reluctance of previous reports to address PA/PLO violations of key commitments. Numerous important items are omitted.

- On the issue of fighting terror, the report makes no mention of the absence any effort by the PA to undertake a good-faith, systematic effort to combat terrorism by Hamas/Islamic Jihad, an effort that would include arrests of suspected and prospective perpetrators of bombing attacks. While the report notes that Hamas was responsible for at least three suicide bombings during this reporting period, it describes Hamas solely as a "rejectionist" group "not under Arafat's control." This characterization fails to take account of the development of the National and Islamic Forces, a coordinating body of fourteen Palestinian militant organizations that includes Fatah as well as Hamas—a group that has enjoyed Arafat's patronage and with which Arafat himself met.
- On anti-Israel incitement, the report fails to take note of the role played by Arafat himself. This would include, for example, Arafat's speech to the March 2001 Arab Summit in Amman, in which he lauded "the blood of the martyrs as a precious asset to liberate the land." That is just the highest-level of a long series of statements by PA/PLO officials—including PA Planning Minister Nabil Shaath, Fatah central Council members Hani al-Hassan, Fatah Tanzim chief Marwan Bargouthi and Gaza Preventive Security Chief Muhammad Dahlan—praising the virtue of violence as a tool to achieve political objectives.
- On the role of state-supported media in anti-Israel incitement, the report evinces a remarkable timidity, curiously stating that PA TV broadcasts only "were accused" of glorifying martyrdom. In this regard, the report neglected to cite such infamous episodes as the airing of the music video in which the young Gaza boy slain in Israeli-Palestinian crossfire, Muhammad Dura, appears on screen to beckon Palestinian children to join him in paradise. This alone is an infomercial for suicide bombers.
- On recognizing Israel's right to exist, the report makes no mention of statements by senior Palestinian officials once again raising the prospect of an existential conflict with the Jewish state. This includes, for example, the Beirut statement by then-PLO executive committee member Faisal Husseini, now deceased that defined the Palestinians' "strategic goal" as creating "Palestine from the river to the sea."
- On Palestinian security forces' role in anti-Israel violence, the report does not discuss acts by any group other than Force 17, citing only Israeli press stories that "leaders of some PA security organizations" have been involved with carrying out attacks. This form of reportage has the effect of diminishing the importance of the reference.

- On the nullification of the PLO Charter, the report notes (as done previously) the steps taken by the Palestine National Council in 1998 to delete offending clauses, but it does not mention that on February 1, 2001, Palestine National Council Speaker Salim Za'anoun issued a document asserting the continued validity of those articles in the Charter calling for the destruction of Israel.

- On the Arab boycott, the report approvingly cites a 1996 PLO statement opposing the boycott, but it makes no mention of public statements by PLO officials—including "Foreign Minister" Farouq Qaddumi, Mufti of Jerusalem, Ikrama Sabri and the late Faisal Husseini—either calling for the resumption of activities of the boycott office or participating in local or international conference advocating a resumption of the anti-Israel boycott.

## Conclusion

When peace process diplomacy was in full gear, PLOCCA reports were generally viewed by Israeli, Palestinian and American officials as irrelevant distractions. But even before September 11, there was renewed importance attached to providing accurate accounting of Palestinian commitments in the fight against terror and anti-Israel violence. And today, the case for full disclosure as a prerequisite to progress in the fight against terrorism—regardless of the political implications of "truth telling"—is abundantly and chillingly clear. While the new PLOCCA report represents a step in the right direction, there is still a long way to go.

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