

African National Congress

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OFFICE OF THE SECRETARY GENERAL

INTERNAL MEMORANDUM

DATE : 28 January, 1999

TO : Cde Mavivi Myakayaka-Manzini
NEC Sub-committee on International Affairs

From : Febe Potgieter
NEC Co-ordinator

Tel : (011) 330 7073
Fax : (011) 336 3719

SUBJECT : **MATTERS ARISING AND DECISIONS OF THE NEC -**
22-23 January 1999

Dear Comrade Mavivi

The National Executive Committee discussed the Report of Officials and NWC to the NEC, Vol. 1. The NEC decided that your sub-committee should prepare for discussion in the NWC and NEC on the following:-

1. The issue of ANC membership of the Socialist International
2. The proposal for the ANC to host a meeting of progressive parties and movements of the African continent.

Kind regards

TEL: (021) 403-7595/6
FAX: (021) 461-9462



NATIONAL ASSEMBLY
PO BOX 15
CAPE TOWN
8000

OFFICE OF THE SPEAKER

FAX MESSAGE

To :	MAVIVI HYAKAYAKA - MANZINI
Fax No :	011 330 7424
From :	LAWSON NAIDOO
Date :	12 / 3 / 99
Subject :	Visit by PLC Delegation
Pages : (incl. this one)	13

Herewith documents as discussed.



DEPARTMENT OF FOREIGN AFFAIRS
DEPARTEMENT VAN BUTELANDSE SAKE

F A C S I M I L E D O C U M E N T

TO : Mr L Naidoo
Special Assistant to the Speaker
Office of the Speaker
National Assembly
CAPE TOWN

FAX NO : (021) 461 9462

FROM : Linda Howes
Route AA83
Department of Foreign Affairs

(Tel: (012) 351 0711)
(Fax: (012) 351 0888)

NO OF : 7
PAGES

DATE : 11 March 1999

SUBJECT : VISIT BY DELEGATION OF THE PALESTINIAN
LEGISLATIVE COUNCIL: REQUEST FOR MEETINGS
WITH THE DRPUTY PRESIDENT, DEPUTY MINISTER
OF FOREIGN AFFAIRS, PARLIAMENTARY PORTFOLIO
COMMITTEE ON FOREIGN AFFAIRS, ETC.

Dear Mr Naidoo

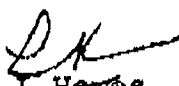
Thank you for agreeing to assist the Department of Foreign Affairs in arranging meetings for the Palestinian Legislative Council (PLC) delegation with the Deputy President and the Deputy Minister of Foreign Affairs, as well as an opportunity for the delegation to brief the Parliamentary Portfolio Committee on Foreign Affairs and the Foreign Affairs spokespersons of those political parties represented in Parliament.

As discussed telephonically with Ms Hoosen this morning, the focus of the aforementioned meetings has changed and taken on a very definite political dimension. The Palestinian Ambassador to South Africa, Mr S El-Herfi, has informed the Department that the PLC members wish to brief South African political leaders on the issue of Palestinian statehood, which President Arafat is due to declare on 4 May 1999.

By way of background, I am forwarding a copy of a letter of 12 February 1999 (and annexure) addressed by the head of the Palestinian Observer Mission to the United Nations (UN) to South Africa's Permanent Representative to the UN. Ambassador El-Herfi has indicated that the text of the annexure will form the basis of the PLC delegation's briefings.

Thank you again for your assistance.

Yours sincerely



T. Howes

Deputy Director: Levant

PERMANENT OBSERVER MISSION OF PALESTINE TO THE UN

Ref. MI.361/99

12 February 1999

Your Excellency,

As you know, the five-year transitional period stipulated for in the Declaration of Principles of 1993 and in the subsequent existing Palestinian-Israeli agreements will come to an end on 4 May 1999. As such, the Palestinian side faces a situation that requires taking decisions that will affect the future of the Palestinian people. The significance of this matter also requires a sharing of our thoughts on this important matter with as many friends as possible.

I am pleased to enclose a paper, entitled May 4 1999 : The End of the Transitional Period and Palestinian Options, for your consideration and, possibly, that of your colleagues as well. Of course, the paper does not try to offer all of the answers, but rather, is an attempt to open a serious dialogue on the matter.

Please accept, Your Excellency, the assurances of my highest consideration.

(signed)

Dr. Nasser Al-Kidwa

Ambassador

Permanent Observer of Palestine
to the United NationsMay 4, 1999, The End of the Transitional Period and
Palestinian Options*

In 1993, the Palestine Liberation Organization (PLO) and the government of Israel reached agreement on a mutual recognition and a Declaration of Principles on Interim Self-Government Arrangements (DOP), both within the framework of the Middle East peace process. The DOP stipulates for "a transitional period not exceeding 5 years, leading to a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973)."

The basic idea, of course, was not a new one, but the DOP did represent the first time that the Israeli and Palestinian sides reached such an agreement. Following the DOP, the two sides concluded partial implementation agreements, which were then superseded by the Interim Agreement on the West Bank and the Gaza Strip of 1995. The Interim Agreement outlines the details of the 5-year transitional period, which began upon the withdrawal from the Gaza Strip and the Jericho area and which is to end on the 4 of May 1999. The last agreement concluded between

the parties is the Wye River Memorandum, reached at Wye River on 23 October 1998, under which the two sides again agreed to "immediately resume the Permanent Status Negotiations on an accelerated basis and will make a determined effort to achieve the mutual goal of reaching an agreement by 4 May 1999."

It is clear, then, that the 5-year transitional period will unambiguously come to an end on that date - May 4th 1999. Unfortunately, it is also clear that the two sides will not be in a position to conclude a final settlement by that date as a result, I believe, of Israeli non-compliance and procrastination. The question then arises - what could or should be done by the Palestinian side on this important date?

It can be argued that the Palestinian people have the right, after undergoing the agreed-upon transitional period, to take the mutual recognition, combined with Security Council resolutions 242 and 338 to its logical destination - independence and statehood. In any case, and as a matter of principle, the Palestinian people have inalienable rights, including their right to self-determination, which are based on international law, the Charter of the United Nations, and on relevant U.N. resolutions. These rights are not dependent on and do not emanate from the existing Palestinian-Israeli agreements. Moreover, given the state of affairs of the peace process and the elapse of the transitional period, it seems justifiable for the Palestinian side to take steps to realize those rights.

Palestinian decisions aimed at the realization of the above-mentioned rights will be made by the relevant Palestinian bodies and, in the final analysis, by them alone. Any such decision cannot, however, be labelled a "unilateral act," an invented and vague term which seems to describe actions which are not fully consistent with the terms of the Palestinian-Israeli agreements. If any Palestinian actions are taken after the end of the transitional period, then they clearly are not inconsistent with those provisions. They will not violate the agreements and will be perfectly in line with international law. To the contrary, the threatened Israeli response, if carried out, would be a violation of the crux of the Middle East peace process and of the mutual recognition between the two sides. Further, it would be an additional gross violation of international law and is expected to be vehemently rejected by the international community.

Let us now try to examine closely the different options available to the Palestinian side on the 4th of May and the ramifications of those options. The first option is to do nothing. What is meant here, of course, is the exclusion

of any meaningful Palestinian actions entailing legal and political ramifications. Indeed, some parties are advising the Palestinian side to do just that. Their arguments in favor of this option are basically as follows: such Palestinian action would destroy the peace process, would provide the Israeli government with a pretext for taking extreme counter-measures and, finally, would have a negative impact on Israeli elections.

If taken, however, this 'do-nothing' option will effectively mean a Palestinian surrender of the realization of their rights to unilateral Israeli will with no time limit. At best, it would lead to an unlimited transitional period and, at worst, a wilful subjugation of Palestinian rights. Any future Israeli government, headed by Likud or even Labor, would realistically abuse such a situation to the maximum. Another problem with this 'do-nothing' option is that, as some argue, with the end of the transitional period, the existing Palestinian institutions linked to it would also come to an end, thus creating a legal and political vacuum. Theoretically, at least, the whole situation might even revert back to the status quo ante. In addition, this option would cause, I believe, some serious problems for the Palestinian leadership among the Palestinian people, who were promised and expect specific actions. Finally, I believe that this option would benefit Mr. Netanyahu and the Israeli right during the election campaign. The 'do-nothing' option would be portrayed by Mr. Netanyahu as a victory achieved because of his policies and as proof that the Palestinians, like Arabs in general, respond only to such policies.

The second option available to the Palestinian side is to postpone taking any action. In reality, this option would create exactly the same situation resulting from the 'do-nothing' option. The argument, nevertheless, is as follows: a postponement does not close the door to any possible Palestinian actions at a later date, such as after the Israeli elections or after a few months. The problem with this option is that the success of such actions at a later stage seems largely unrealistic. Any future date for action chosen by the Palestinian side might be considered by the international community as an arbitrary choice. Many parties, wanting to avoid taking difficult decisions, would prefer to strongly pressure the Palestinian side to be even more patient. Nevertheless, that option will be advocated by some, at least since it will be hard for any Palestinian to go along with an outright public 'do-nothing' option.

The third possible option is a mutual extension of the validity of the transitional period for a specific period of time. This option could have been the best option for both the Palestinian and Israeli sides, had there been

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reasonable implementation of the existing agreements. A few months ago, the speaker thought that the situation was most probably headed in that direction, while understanding that the matter would be subject to many bargains, pressures and counter-pressures. The problem, however, is that this option has become increasingly difficult given the actual and complete cessation of the implementation of the Wye River Memorandum and, of course, the negotiations on the permanent status. The timing of the Israeli elections, which seems intentionally set beyond the 4th of May, makes such bilateral agreement on the extension all the more difficult. Soon, there will not even be a government to reach such a deal with.

The fourth and last option available to the Palestinian side is to take concrete actions towards the realization of statehood and independence. The actual results of this option will depend largely on what these actions are and how they are taken, with all the necessary attention to details. But it seems that, given the Palestinian inability to impose a different situation on the ground, a decisive element here will be the position of the international community and the degree of international acceptance or recognition of those Palestinian actions.

The question then becomes - which option should be pursued by the Palestinian side? It seems that the 'do-nothing' and the 'postponement' options are significantly dangerous for the Palestinian side and should be considered 'non-options'. Option #3, to extend the transitional period, has become unfeasible under the circumstances intentionally created by Mr. Netanyahu. Moreover, if artificially undertaken, this option may be harmful to the Palestinian people and the Palestinian cause. If all of the above is true, then the Palestinian side is left only with option #4. The Palestinian side ought to take actions of a legal and political nature, thus creating different dynamics and preparing for a new stage.

Under this option there exists a range of possible specific actions, which require greater Palestinian consideration and serious thought. The question effectively becomes what can be done within option #4 and not outside of it? In this respect, regardless of what is decided, certain things should be done. For instance, the facts and realities should be explained to the Palestinian people, to the Arab states, and to the rest of the world. We must build a Palestinian consensus, for this is not a tactical matter. We must solidify the Arab front and we must rectify the current impressions that the Palestinian side is threatening to take "unilateral actions" and that the Palestinian side is just waiting for an opportunity to opt out of the peace process. Both, of course, are false

characterizations. In addition, we must also make efforts to explain the facts and realities to the Israeli people.

Second, we should take into consideration the fact that the Declaration of Independence of Palestine was already proclaimed by the Palestine National Council (PNC) in 1988 and the fact that there already exists wide international recognition of Palestine. As such, we are not starting from zero. Third, our commitment to the peace process, to the mutual recognition and to the peaceful settlement of the conflict should be reaffirmed as a matter of policy. We must call upon the Israeli government to solve the remaining problems through negotiation, with the aim of reaching a treaty between Israel and Palestine. Lastly, we must take care not to give the Israeli side any pretext for violent reaction.

In the last period of time, if anything, the Palestinian side has succeeded in making the Palestinian State an inevitable, coming reality for all the parties concerned. In actuality, part of the current struggle is taking place over the terms for the creation of that state. The present situation imposes a dilemma upon the Palestinian side, but it also provides for a challenge and an opportunity. We must be careful not to undo any achievements or thwart that opportunity.

Abmed Qurie (Abu Ala)**The Speaker****The Palestinian Legislative Council**

- * Place of birth : Abu Deis -Jerusalem- Palestine
- * Date of birth : 1937
- * 14 years in Banking until 1968 when he devoted his time completely to the FATAH Movement.
- * He was heavily involved in the "FATAH" Movement from its early beginnings as a member of its Revolutionary Council until he was elected as a member of its Central Committee in 1989.
- * He played a vital role in the establishment of SAMED (Palestine Martyrs Works Society) and has served as its Director General since 1970. Its objectives was to help Martyrs families in finding employment and he was instrumental in establishing several Palestinian National Institutions e.g. Palestinian Housing Council, Palestinian Central Bureau of Statistic, Credit Institutions and other important institutions.
- * Member of the Palestinian National Council
- * Director General of the Department of Economic Affairs and Planning at the PLO since 1983 and Economic Advisor to the President of the PLO.
- * The chief editor of "Samed Al-Iktisadi" Magazine that is issued by SAMED.
- * Governor of Palestine for the Islamic Development Bank since 1988.
- * Member of the Board of Governors of the Palestinian Economic Council for Development and Reconstruction "PECDAR" since its establishment.
- * The Delegate Managing Director of the Palestinian Economic Council for Development and Reconstruction "PECDAR" since its establishment until 1996.
- * Minister of Economy and Trade - Minister of Industry Palestinian National Authority.
- * Member of the Board of Trustees of The Palestinian Economic Policy Research Institute(MAS) since 1996.
- * General Co-ordinator of the Palestinian Delegations to the Multilateral Working Groups of the Peace Negotiation.
- * Head of the Palestinian Delegation During the Oslo Secret Negotiations
- * Head of the Palestinian Delegation for the Economic Negotiation with Israel in Paris.

Willie Hobbs - 1972

- * Head of the Palestinian Delegation for the Interim Agreement Negotiation.
- * Head of the Palestinian Side for the Monitoring and Steering Committee for Implementing the Interim Agreement.
- * Head of the Palestinian side of the Joint Palestinian Israeli Economic Committee.
- * Head of the Palestinian side of the tripartite American - Palestinian - Israeli Committee for the establishment of the Industrial Zones.
- * Supervisor for preparing the "Programme for Development of the Palestinian National Economy " (1994-2000) as the most important Economic Development Programme in Palestine which was prepared by the Department of Economic Affairs and Planning of the PLO.
- * Head of the Palestinian Delegations in many Arab, Islamic and International seminars and conferences.
- * He negotiated and signed several economic, financial and technical agreements with many countries, Islamic and International Institutions and Organisations, Banks and Financial Funds on behalf of the PLO.
- * He succeeded to establish and maintain solid working relationship with leadership and national Institutions in Industrialised and the Third World countries with the aim to secure continuous economic support and assistance to the Palestinian People during its struggle for its right to self determination.
- * He was elected in January 1996 for the Jerusalem Constituency in the first Palestinian Legislative elections.
- * He was elected as the Speaker of the first Palestinian Legislative Council in March 7th, 1996.
- * He was elected in March 20th 1997 for the second term as the Speaker of the Palestinian Legislative Council.
- * He was elected in March 7th 1998 for the third term as the Speaker of the Palestinian Legislative Council.
- * He was elected in March 7th 1999 for the fourth term as the Speaker of the Palestinian Legislative Council.

- Member of the Palestinian team to the secret negotiations in Oslo.
- Member of the negotiation team for the: Gaza-Jericho Agreements, Interim Agreement, Hebron Agreement, Wye River Agreement.
- Member of the steering and Monitoring committee with the Israeli side.

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Ziyad Mahmoud Abu Amr

<http://www.pal-pic.org/english/struct1.htm>**Ziyad Mahmoud Abu Amr****Constituency:** Gaza City**Marital Status:** Single**Education:** Ph.D. in Political Science**Residence:** Gaza - Al-Shajleh - Munbar Street**Profession:** University Professor**Number of Votes:** 31748**Rank in Constituency:** Sixth**Political Affiliation:** Independent**Other Positions:** Chairman of political committee, member of oversight and human rights committee.

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Good

CURRICULUM VITAE**PERSONEL**

Name : Marrwen Hassib Al - Barghoutiy.
Place of Birth : Copar - Ramallah
Date of Birth : June 6th 1959
Marital Status : Married
Number of Children : Four

Higher Education**BirZeit University**

Master in International Relations
BA in History and Political Science.

Political History

- < Imprisoned by the Israeli Authorities for six years in 1978.
- < Administrative Detention for six months.
- < Elected as Head of the student's council in Bir-Zeit University for three terms.
- < Deported to Jordan in 1987.
- < Came back home in 1994.
- < Elected member of the Fatah Revolution Council.
- < Member of the Palestinian National Council.
- < General Secretary of the Fatah Supreme Committee in the West Bank.
- < Member of the Palestinian Legislative Council.



reference:
verwysing:
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12 March 1999

Speaker F. Glinwala

Convenor: NEC Sub-Committee on Legislatures and Governance

COMMON STANDARDS OF GOVERNANCE

Your fax dated 8 March 1999 on the above-mentioned refers. Please be advised that information pertaining to the Free State Legislature is as follows:

1. Housing

No housing or housing allowance is provided for.

2. Travel

The policy of the Free State Legislature provides for the following:

Air-Fare

- a) Every Member of the Legislature, excluding the Premier and Members of the Executive Council, are allocated 12 return (24 single) air-tickets per annum.
- b) Tickets may only be used for domestic air-fare.
- c) Tickets may be converted into cash for trips actually undertaken to destinations which accommodate a seat of Parliament or Provincial Legislature. This means that tickets may only be converted to cash to Cape Town, Johannesburg, Kimberley, East London (nearest airport to Bisho), Durban (nearest airport to Ulundi/Pmb), Pietersburg, Nelspruit and Mmabatho.

Private Car Rentals

- a) In cases where a Member prefers to drive to a destination and requests that a vehicle be rented for this purpose, the cost of an air-ticket is calculated and that amount is used to defray expenditure arising from car rental. One return air-ticket is then deducted from the Member's annual allocation. The difference between such actual rental costs and the Member's credit, is the responsibility of the Member concerned.

Train/Rail

- a) Provision is made for 4 single tickets per Member, excluding the Premier and Members of the Executive Council, per annum.

☎ 051 - 4071100 (FAX) 051 - 4071137

Private Bag/Privaatsak/Mokotla wa poso X20561 BLOEMFONTEIN 9300

- b) The whole allocation may be converted into 1 additional return air-ticket, provided that none of the quota for rail was used.

Bus

- a) Provision is made for 4 single tickets per Member, excluding the Premier and Members of the Executive Council, per annum.
- b) The whole allocation may be converted into 1 additional return air-ticket, provided that none of the quota for bus was used.

Taxi

- a) Provision is made for 4 single tickets per Member, excluding the Premier and Members of the Executive Council, per annum.
- b) The whole allocation may be converted into 1 additional return air-ticket, provided that none of the quota for taxi was used.

3. NCOP

Special delegates are paid a standard S & T allowance. (Refer to Category One of S & T allowance payable inside the borders of the RSA) No special allowances are paid to Special Delegates

4. S & T Allowances

Two categories are applicable.

Category One: S & T Allowance payable inside the borders of the RSA
(Determined by Rules and Orders Committee)

- a) R84.00 per 24 hours or pro-rata to the number of hours actually spent outside the borders of the municipal boundaries of Bloemfontein.
- b) Paid only in respect of official duties undertaken.

Category Two: Daily allowance payable outside the borders of the RSA

- a) As determined by the Department of Foreign Affairs.
- b) Paid only in respect of official duties undertaken. (Please note that the purpose and arising financial implications for all international visits to be undertaken by Members, excluding the Premier and MECs, must be approved by the Rules Committee prior to the actual visit.)

I trust that you will find this in order.


M.J. MAFEREKA
SPEAKER
FREE STATE LEGISLATURE