



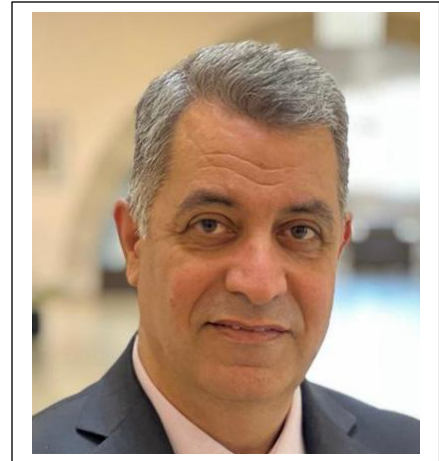
## Available Options for the Central Council to Amend the PLO Basic Law

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Mr. Jehad holds a master's degree in Political Science from the Faculty of Law and Political Science in Tunis since 1999. He has written a weekly article specializing in Palestinian affairs and the Palestinian-Israeli conflict. He is a co-author of the Arab Security Index Report, the Arab Reform Report known as the "Arab Democracy Index," and a member of the main team for the Palestinian Integrity Index , and the Integrity Index in the Palestinian Security Sector. He also worked as a member of expert team supporting the work of the National Reconciliation Support and Development Group/Security Sector. He has numerous studies published in Palestinian and Arab research institutions and centers related to the Palestinian political system, good governance, parliamentary work, the integrity system, the security sector, and refugee issues.

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## **Available options for the Central Council Amend the PLO Basic Law**

**Jehad Harb<sup>1</sup>**

### **Introduction**

A letter from Palestinian National Council (PNC) Speaker Rawhi Fattouh, dated March 14, 2025, indicated the intention to hold a regular session of the Palestinian Central Council between April 21 and 26, with the aim of "amending and revising articles of The PLO Basic Law<sup>2</sup>, including the creation of the position of Vice Chairman of the Executive Committee." This letter followed Palestinian President Mahmoud Abbas's announcement on March 4, 2025, in his speech before the Arab Summit (Palestine Summit), where he spoke about "creating the position and appointing a deputy chairman of the PLO and the State of Palestine, and taking legal measures to that end," as well as injecting new blood into the organization, Fatah, and state agencies, and convening the Palestinian Central Council in the near future<sup>3</sup>.

The letter from the National Council Speaker referred to two issues: First, informing Central Council members of the logistical preparations and the necessary arrangements to ensure the safe convening of the Council, as official invitations will be sent out with the specified date and venue. Second, the letter stated that the Council Presidency will distribute the amendments (the draft law amending the bylaws), including the creation of the position of Vice Chairman of the Organization's Executive Committee, prior to the convening of the new Central Council session.

These Palestinian movements come in light of multiple Arab pressures to conduct a reform process within the Palestinian Authority. This was represented by the demand by the Emergency Arab Summit ("Palestine Summit"). Noting that reform efforts within the State of Palestine and the PLO are necessary steps to enable Palestinian national institutions to perform their duties effectively in the face of challenges, maintain the unity of national decision-making, and enhance the Palestinian people's ability to withstand and achieve their legitimate aspirations for freedom and independence.<sup>4</sup>

This paper aims to contribute to the discussion on the issue of revising constitutional amendments planned for The Basic Law of the PLO, including the creation of the position of Vice Chairman of the Executive Committee. This paper focuses on the necessity of political and constitutional review to correct the institutions of the Palestinian system and move towards statehood, ultimately ending the hybrid Palestinian political system.

The paper reviews four options available to the Palestinian Central Council, which is scheduled to meet in the coming days: (1) Amending the PLO Basic Law to create the position of Vice Chairman

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<sup>2</sup> See: PLO Basic Law [PloBasicLaw.pdf](#)

<sup>3</sup> President Mahmoud Abbas's speech at the Arab Summit "Palestine Summit" on March 4, 2025 [In his speech at the emergency summit, the President praised the Egyptian-Palestinian-Arab plan to rebuild the Gaza Strip.](#)

<sup>4</sup> See: Statement of the Arab Summit "Palestine Summit" dated 3/4/2025 [Cairo Declaration - Palestine Summit - March 4, 2025.pdf](#)

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of the Organization's Executive Committee. (2) Amending the PLO Basic Law by changing the selection process for the Chairman of the Executive Committee to be chosen directly by the Central Council. (3) Not amending the PLO Basic Law and refusing to create the position of Vice Chairman of the Executive Committee. (4) Adopt a temporary system of governance a "constitutional declaration" for the State of Palestine.

### **Reasons for Interest in the Vacancy of the President's Position**

The vacancy of the position of Chairman of the PLO Executive Committee/President of the State poses an additional challenge to the Palestinian political system under extremely complex circumstances. On one hand, the political system's legitimacy is weak without elections; on the other, there is an existing division between Palestinians and the governing institutions in the West Bank and Gaza Strip. Additionally, there is a hidden internal struggle over succession and the strengthening of centers of influence within the PLO, as well as state civil and security institutions.

Concern over the vacancy of the position of President of the PLO and President of the State primarily arises because the PLO represents the Palestinian people internationally, especially as it is a member of the Arab League and the representative of the State of Palestine in the United Nations. There is also fear about the possibility of President Mahmoud Abbas being unable to carry out his constitutional duties due to his age, which is approaching ninety, not to mention the sharp political division among Palestinians and the struggle over political representation.

This concern is further fueled by attempts to identify the international community's future president, given the growing interest in the direction the next president might take, particularly in relation to Palestinian-Israeli relations. President Mahmoud Abbas has been in power for more than twenty years, and in many Third World countries, the state is often identified with the political system and the leader. The Palestinian situation, however, is more complex and requires an understanding of the future relationship with Israel, as Palestine's interests are more closely tied to Israel than to other Arab nations.

## **Options for the Central Council to Amend the PLO Basic Law**

This section reviews potential options for revising the PLO Basic Law based on the letter from the Speaker of PNC to the members of the Central Council, following President Mahmoud Abbas's speech at the Arab Summit ("Palestine Summit") held in Cairo on March 4, 2025.

### **Option 1: Amend the PLO Basic Law to create the position of Vice Chairman of the Executive Committee.**

This option requires amending the PLO's Basic Law to create the position of Vice Chairman of the Executive Committee. This revision would define the powers, tasks, and responsibilities for the newly created position. There are two possible frameworks for the role. The Vice Chairman assumes the role of Chairman of the Executive Committee in the event of the President's death or the position becoming vacant for any other reason, to continue the legal mandate of the presidency.

Alternatively, the Vice Chairman may hold broader powers by virtue of the statute or a decision from the Chairman of the Executive Committee, taking over the presidency if the position becomes vacant to ensure the legal term of the presidency continues.

This amendment also requires specifying the mechanism for appointing the Vice President, either through selection by the Executive Committee from among its members, as was the case in the internal regulations of the Executive Committee of the Palestine Liberation Organization approved on 3/11/1965, or through direct selection by the Central Council, either individually or in conjunction with the selection of the Chairman of the Executive Committee.

This amendment aligns with the commitment made by President Mahmoud Abbas in front of the Arab Summit to create new positions, including that of Vice Chairman of the Executive Committee of the PLO and Vice President of the State of Palestine. It also responds to international and Arab demands for ensuring a smooth power transition in the event of a presidential vacancy, particularly the Chairman of the Executive Committee, which represents the State of Palestine, under the 1988 PNC Resolution, at the United Nations.

### **Option 2: Amend the PLO Basic Law by changing the method of selecting the head of the organization's Executive Committee**

This option suggests amending the selection process for the Chairman of the Executive Committee, as specified in Article 13 of the PLO Basic Law. The proposal is to elect the Chairman directly by the Central Council rather than by the Executive Committee itself. This amendment would also introduce new articles to define and regulate the powers of the President and the coalition Executive Committee, as well as establish the power transfer mechanism in the event of a vacancy in the President's position. In such a case, the Speaker of the National/Central Council would

## **Available options for the Central Council Amend the PLO Basic Law**

assume the presidency of the Executive Committee for a specified period or until the next session of the Central Council or PNC.<sup>5</sup>

This option aligns with the 1988 PNC decision regarding the selection of the head of state and with Constitutional Declaration Law<sup>6</sup> No. 1 of 2024, which stipulates that the President of PNC should assume the interim presidency of the Palestinian Authority in the event of a vacancy.

### **Option 3: Not amend the PLO Basic Law and refuse to create the position of Vice Chairman of the Executive Committee.**

This option entails rejecting the creation of the Vice Chairman position, maintaining the current method for selecting the Chairman of the Executive Committee as outlined in Article 13 of The PLO Basic Law<sup>7</sup>. Many politicians and scholars believe there is no need for constitutional amendments to the Basic Law of the PLO, as Article 13 already provides a framework for selecting a new Chairman of the Executive Committee in the event of a vacancy.

Under the current statute, the President is considered "first among equals" within the Executive Committee, acting as a spokesperson and overseeing the implementation of decisions made by the Executive Committee.

### **Option 4: Adopt a temporary system of governance, a “constitutional declaration,” for the State of Palestine.**

This option suggests adopting a “temporary system of governance”, or a "constitutional declaration", that specifies legal rules for the selection of the head of state and the succession mechanism in the event of a vacancy. The Central Council would automatically transform into a Constituent Assembly for the transitional phase to embody the state.

This option is consistent with: (1) PNC's 1988 decision to adopt an interim system of government until the Palestinian people exercise full sovereignty over Palestinian land,<sup>8</sup> (2) It is also aligned with the Central Council's 2022<sup>9</sup> resolution to continue adapting the legal status of Palestinian state institutions in line with United Nations General Assembly Resolution 67/19 of 2012, which raised Palestine's status to that of an observer state, and (3) the Presidential Decree regarding the

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<sup>5</sup> Article 8 stipulates that “the term of the National Council shall be three years. It shall convene periodically upon the invitation of its President once every year, or in extraordinary sessions upon the invitation of its President, based on a request from the Executive Committee or a quarter of the Council's members. The place of its convening shall be in Jerusalem, Gaza, or any other place, according to the circumstances. If the President of the Council does not call for such a meeting, the meeting shall be deemed to have been held at the place and time specified in the request of its members or the request of the Executive Committee.”

<sup>6</sup> See: [mjr.ogb.gov.ps/Decrees/Download/?p=94637a41-4705-4858-9685-fcf582bcd1e4.pdf&d=Constitutional-Declaration-No.1-of-2024-Palestine!](https://mjr.ogb.gov.ps/Decrees/Download/?p=94637a41-4705-4858-9685-fcf582bcd1e4.pdf&d=Constitutional-Declaration-No.1-of-2024-Palestine!)

<sup>7</sup> See: PLO Basic Law [PloBasicLaw.pdf](#)

<sup>8</sup> See: Text of the letter of the Permanent Observer of the Palestine Liberation Organization Mission to the United Nations, Zuhdi Tarazi, to the Secretary-General of the United Nations.

[Document Viewer](#)

<sup>9</sup> See: [Final Statement of the Palestinian Central Council at its Thirty-First Regular Session - Ramallah 2022/2/ 8-6](#)

President of the State of Palestine and members of the Palestinian leadership's visit to the Gaza Strip on 8/21/2024,<sup>10</sup> which tasked the committee formed by virtue of the decree in the fifth clause of Article 3 with 'developing mechanisms for concrete steps towards the embodiment of the State of Palestine, the Constitutional Declaration, and the Transitional Council.

## **Conclusion**

The Central Council has a golden opportunity in its next meeting to reduce the risks of illegitimacy in the Palestinian political system, clarify the mechanisms for the transfer of power, and prevent external pressures from interfering in the formulation or reformulation of the Palestinian political system. It can also avoid the emergence of conflicts between political, security, and partisan centers of power.

Comparing the four options reviewed in this paper, **Option Four**—adopting a temporary system of government or a "constitutional declaration" for the State of Palestine—**is the optimal option**, as it builds on the National Council's decision to establish the state. It completes the Declaration of Independence and aligns with the Central Council's 2022 decisions. However, it may face non-recognition by Israel and a cessation of dealings with the institutions arising from it. **Option Two**—amending the bylaws to change the method of selecting the Chairman of the Executive Committee—**is the best choice**, it ensures a smooth transition of power in the existing political system while preserving the political system's structure.

**Option One**—amending the bylaws to create the position of Vice Chairman of the Executive Committee—is the easiest solution, but may reflect external pressures and undermine constitutional respect. **Option Three**—rejecting any amendments and refusing to create the position of Vice President—is the most difficult. While it resists external pressures, it risks weakening Arab support and may fuel internal conflicts over succession in the event of a vacancy.

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<sup>10</sup> See: [Decree on the President of the State and members of the Palestinian leadership's visit to the Gaza Strip](#)



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