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**IMPLEMENTING THE OSLO PEACE
ACCORDS
A Case Study of the Palestinian-Israeli Peace
Process and International Assistance for the
Enhancement of Security**

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8) ABSTRACT <p>The report discusses the implementation of the Oslo peace accords with an emphasis on international assistance that aims at enhancing security during the peace process. It identifies a set of peace building security tasks and assesses the role of "security assistance" in supporting the war-to-peace transition. The study has a triple starting-point that consists of (1) the immediate post-conflict setting; existing threat perceptions and sources of insecurity; (2) the Oslo Peace Accords, and (3) the constellation of relevant third parties. The main analysis consists of an empirical description of a set of peace building security tasks (transfer of territory; disarmament, demobilisation and integration of former combatants; security sector reform; support to security co-operation; assistance to enhance the parties' ability to curb rejectionist violence; arms control and regional security), and it discusses the impact of international security assistance on these processes. The establishment of the Palestinian Police Force stands out as the single most significant element in the peace building process. The report assesses how assistance has been mobilized and co-ordinated in order to facilitate the establishment and development of the Palestinian Police Force. In conclusion, an attempt is made to evaluate the role of security assistance in the implementation process against a set of criteria of effectiveness.</p>														
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security matters, which is the subject of Chapter 3. Next, Chapter 4 presents the constellation of third-party actors that emerged in the early stages of the peace implementation process. The thrust of the analysis of the implementation process is Chapter 5 where the “security tasks” in the peace process are analysed, with emphasis on how and to what degree they have been addressed by external actors. The co-ordination of security assistance in the Oslo peace process is discussed in Chapter 6. The final chapter evaluates the implementation process and the role of the international community’s security contributions in promoting the peace process.

2 INSECURITY IN POST-OSLO ISRAEL, THE OCCUPIED TERRITORIES AND THE PALESTINIAN SELF-RULE AREAS

2.1 Israeli Threat Perceptions at the Dawn of Oslo

The Arab–Israeli conflict forms the backdrop to the Palestinian–Israeli conflict, and has had fundamental security implications for the parties involved. For Israel, the protracted and bitter conflict with its Arab neighbours and the Palestinians has posed a potential threat to the existence of the state, since the Arab states (with the notable exception of Egypt after 1978) refused to recognise the Jewish state, and were at least rhetorically committed to fight until the extinction of “the Zionist entity” and the establishment of a Palestinian state to replace it. The Arab refusal to recognise Israel, and a number of armed conflicts between Israel and one or several of the Arab states, resulted in a deep-seated sense of insecurity among the Israeli public.³ The Second Gulf War reinforced among Israelis the perceived precariousness of their country’s national security as the Iraqi dictator, in an attempt to split the Arab–Western coalition, decided to launch dozens of Scud missiles, widely believed to be capable of carrying chemical weapons, into Israel.

By the early 1990s, the preoccupation with the conventional military threat from the Arab neighbours had been lessened by a number of factors. There had been uninterrupted tranquillity for almost two decades on the Israeli–Syrian demarcation lines on the Golan Heights, occupied by Israel in 1967. Egyptian–Israeli border relations had been peaceful since the Camp David Peace Treaty was signed in 1978.⁴ Israel faced no significant threat from Jordan as Israeli–Jordanian relations had assumed a kind of “tacit security regime” since the 1970s, despite the absence of a formal peace agreement.⁵ Only the Israeli–

³ The Arab-Israeli wars include the Arab-Israeli War in 1948, the Suez War in 1956, the June War (6 Day War) in 1967, the October War (Yom Kippur War) in 1973, the Israeli invasions of Lebanon in 1978 and 1982, leading to the establishment of the self-declared Israeli “Security Zone” in southern Lebanon.

⁴ Peacekeeping and security arrangements serve to stabilise these border areas: the Israeli–Syrian border has been patrolled by the UN Disengagement Observer Force (UNDOF) since 1974, and the Egyptian-Israeli border is monitored by the Multinational Force and Observers (MFO).

⁵ Inbar (1995), pp.127–150.

Lebanese borders remain volatile. Israel had established a self-declared “security zone” in the aftermath of its invasions of Lebanon in 1978 and 1982. The Israeli public was continuously reminded of the ongoing Arab–Israeli conflict by occasional Katyucha attacks across the Israeli border by Lebanese and Palestinian resistance units, and an annual loss of several dozens of Israeli soldiers in the protracted war against the increasingly professional guerrillas of *The Islamic Resistance*, the armed wing of the Iranian supported *Hizb Allah* movement in Lebanon. With the signing of the Oslo Accords, however, an end to the simmering warfare in Southern Lebanon seemed no longer an unattainable goal. By then, the Syrians had broken old taboos by conducting peace talks with the Israelis. It became clear that Syria, as the main power-broker in Lebanon, would allow the Lebanese Army to ensure security along the Israeli border with Lebanon as a *quid pro quo* for Israeli withdrawal from the Golan Heights.⁶ Apart from improved prospects for peace with “the first circle” of Arab neighbours – Egypt, Jordan, Syria and Lebanon – the threat posed by the conventional military forces of the Arab states was greatly reduced.

The collapse of the Soviet Union, which had been the main arms supplier for several hardline Arab states, led to a sharp reduction of military expenditures in these countries at the beginning of the 1990s. Furthermore, the rise of unrivalled US hegemony after the Gulf War strengthened Israel as a regional power. By the 1990s Israel had already achieved an overwhelming conventional and unconventional military superiority over any Arab force by virtue of “the qualitative edge” of its military.⁷ Israel now began to view the possible proliferation of weapons of mass destruction, especially in “the second circle” of Arab and Islamic states – Libya, Sudan, Iraq and Iran – with growing apprehension. The discovery of Saddam Hussayn’s extensive chemical and nuclear weapons programmes fed fears that Israel’s long-term security was in jeopardy.⁸ The main fear was no longer rooted in any conventional threat from Arab states. Threats to Israeli security stemmed from **the proliferation of non-conventional weapons** to radical regimes in the region. In addition, Israel faced an internal threat: **political violence perpetrated by Palestinians under occupation**.⁹ By the early 1990s, armed attacks and political violence against Israelis in the Occupied Territories and in Israel proper, as well as acts of violence by militant Palestinian and Islamic groups, targeting Israeli and Jewish targets abroad, emerged as the greatest source of insecurity among the Israeli public. This combined threat scenario was epitomised by Shimon Peres’ description “*the knife and the missile*”.

Although acts of political violence against Israelis by Palestinians by no means constituted a threat to the state, many Israelis nevertheless experienced a heightened sense of personal insecurity, stemming from “the ubiquitous terror threat” which haunted them in their daily lives. While political violence was generally limited to the Occupied Territories, the fear

⁶ For more discussion on this issue, see Maoz (1995) p.223–262 and Lia (1997), pp.30–43.

⁷ Cordesman (1996).

⁸ Levy (1997), pp.469–470.

⁹ Levy (1997), p.470.

that the Palestinian Uprising, the *intifada* (1987–1993), would spill over into Israel proper appeared to come true in 1990–91 during the “the War of Knives”, when a series of Israelis were stabbed inside the “Green Line”(Israel proper), in retaliation for the massacre of 18 Palestinians during riots at the Al-Aqsa mosque in 1990. This threatening development was reinforced by the rise of militant Islamic movements which employed new and more lethal forms of political violence (in particular, suicide bombings introduced in April 1994 in retaliation for the Hebron Mosque massacre), which hit a sensitive nerve in Israeli society.¹⁰ Israeli security concerns regarding “terrorism” would inevitably have the most pervasive impact on the subsequent implementation process.

2.2 Palestinian Threat Perceptions

Scholarly literature about Palestinian security issues and perceptions of security is scarce, compared to all that has been written on Israeli security.¹¹ Although Palestinian security needs have long been undervalued in comparison with those of Israel, they nevertheless need to be addressed to secure a peace settlement which is legitimate in Palestinian eyes. As Ahmad Khalidi has pointed out, “the need for a mutual recognition of security rights is not only a politico-psychological prerequisite for peace, but a guarantor of its durability”.¹² As opposed to Israel’s long-term preoccupation with security, a national security debate started within the Palestinian community only in the 1990s. This is not surprising, given the absence of a Palestinian state as a context for such a discourse. The Palestinians as a people under military occupation have focused primarily on *their national rights* as enshrined in international law and UN resolutions, rather than their need for security. The underlying assumption in the peace accords with Israel is that the PLO will provide security for Israelis, while in return Israel will fulfil at least some of the Palestinian national and territorial rights. The PLO position is that there can be no peace, stability and security in the region as long as Palestinian national rights are not met. Like other peoples resisting occupation, many Palestinians are sacrificing their personal security in hopes of achieving long-term security as a national community.

However, insecurity, both on an individual level and on a national–community level, has had an pervasive influence on the Palestinians in the Occupied Territories as well as in Diaspora in the Arab countries during the second half of this century. The general theme in Palestinian literature on security is that Palestinian threat perceptions are rooted in *an existential threat to the continuation of their national community*. This threat

¹⁰ The upsurge of violence against Israelis inside the “Green line” was particularly felt in the aftermath of the deportation of more than 400 Hamas suspected activists in December 1992. The deportation unleashed perhaps the worst wave of violence since the *intifada* began. In March 1993 alone, some 28 Palestinians and 15 Israelis were killed. Most Israelis were slain inside the “Green line”. See Usher (1995), p.6.

¹¹ There exists a small body of writings on the subject, including Sayigh (1995) (1995b), Khalidi (1990), (1995), Yorke (1990), Weinberger (1995).

¹² Khalidi (1995).

perception emanates from the tragic history of the Palestinian people since its subjugation to the British mandate, contractually committed to the creation of “a Jewish national home” in Palestine, the forcible expulsion and displacement of hundreds of thousands of Palestinians in 1948 and 1967.

Throughout the Palestinian–Israeli conflict the Palestinians, scattered largely in separate communities throughout Israel, in the Occupied Territories and in the Diaspora, have felt a fundamental need to preserve their national identity in the face of the combined onslaught of Israeli occupation, the “Judaization” of their homeland, and the sometimes brutal subjugation of Palestinians in Arab host states. This deeply- felt threat to their national community was also nourished by the Israeli discourse on the Palestinians in the Occupied Territories, which often labelled them “Israel’s demographic problem”. According to some Israeli right-wing parties, the obvious answer to the “demographic problem” was the “transfer” of the Palestinian population to Jordan and other Arab countries.¹³

For Palestinians living under Israeli occupation, insecurity on an individual level is an immediate concern, and involves no less than **a direct threat to physical survival**, beyond the general social and economic insecurity, that stems from the hardship of the Israeli occupation. Palestinian perceptions of insecurity are a direct result of Israeli occupational policies, which involve **a wide range of well-known practises often associated with foreign military occupation**, such as:

- a) *arbitrary arrest; detention for long periods without legal charges or trial;*¹⁴
- b) *the use of torture and mistreatment to extract information;*
- c) *the use of rubbercoated bullets and, frequently, live ammunition against demonstrators;*
- d) *the assassination of Palestinians by Israeli undercover units in the Territories and abroad;*¹⁵
- e) *the assassination and/or extrajudicial punishment of Palestinians believed to be collaborators;*
- f) *vigilantism and violence by Israeli settlers and failure or laxity on the part of Israeli legal authorities in investigating and punishing such crimes;*

¹³ See for example “Moledet – Excerpts of Platform”, *IMRA News*, 1 April 1998. (<http://join.virtual.co.il/cgi-win/imra.exe>).

¹⁴ Israeli human rights abuses in the Occupied Territories are widely documented. The practises listed here are documented in Yizhar Be'er and Dr. Saleh 'Abdel-Jawad (1994), and B'tselem - The Israeli Information center for Human Rights in the Occupied Territories, *Law Enforcement vis-a-vis Israeli Civilians in the Occupied Territories* (Jerusalem, March 1994); *Lethal Gunfire and Collective Punishment in the Wake of the Massacre at the Tomb of the Patriarchs*. (Jerusalem, March 1994); *Torture during Interrogations - Testimony of Palestinian Detainees - Testimony of Interrogators*. (Jerusalem, November 1994); *Without Limits - Human Rights Violations under Closure* (Jerusalem, April 1996); *Playing with Fire on the Temple Mount - Use of Lethal and Excessive Force by the Israeli Police Force* (Jerusalem, December 1996); *Sexual Harassment in the Name of the Law - Violence and Degradation during Searches of Palestinian Homes in Hebron* (Jerusalem, December 1996); *Legitimizing Torture - The Israeli High Court of Justice Rulings in the Bilbeisi, Hamdan and Mubarak Cases* (Jerusalem, January 1997); *Lethal Training - The Killing of Muhammad Al-Hilu by Undercover Soldiers in Hizmeh Village* (Jerusalem, March 1997); *The Quiet Deportation - Revocation of Residency of East Jerusalem Palestinians* (Jerusalem, April 1997), and *Prisoners of Peace - Administrative Detention During the Oslo Process* (Jerusalem, July 1997).

¹⁵ The assassination of Islamic jihad leader Fathi Shiqaqi on Malta in 1995 was widely believed to be carried out by Israeli intelligence agents. Another example was the aborted attempt on the life of a prominent Hamas leader Khaled Mash'al in Amman in November 1997.

- g) *collective punishment in the form of severe restriction of movement, closure of educational institutions, curfews, and prolonged and total closure of the Occupied Territories, demolition of houses belonging to families of suspected perpetrators of political violence;*
- h) *sexual harassment during house searches;*
- i) *forced expulsion in the form of revocation of residency for East Jerusalem Palestinians, or through deportation or by revoking travel documents and identity cards.*
- j) *the confiscation of land and property, and settlement construction on occupied territory.*¹⁶

While this list by no means is exhaustive, it illustrates some of the sources of the pervasive feeling of insecurity experienced by individual Palestinians in the Occupied Territories. It is essential to note that these practises were by no means brought to an end by the conclusion of the Oslo Peace Accords, but remained for the most part, and in some cases actually deteriorated after Oslo, especially the practice of collective punishment by prolonged closures of the Occupied Territories.

A central source of Palestinian insecurity stemmed from the fact that the Israeli occupation had led to **a partial breakdown of basic law enforcement** for Palestinians in the Occupied Territories. Law enforcement was perceived as illegitimate because it was largely controlled by the Israeli Army. After the outbreak of the *intifada*, the Palestinian civilian police resigned en masse and the judicial system and traditional systems of law and order were largely paralysed, creating a vacuum in the Territories which was partly filled by squads or cells identified with various political organisations. By the early 1990s, conditions for legitimate law enforcement deteriorated further as the *intifada* was divested of its mass character. It turned inwards degenerated into what Graham Usher has called “a domestic affair ... the private property of rival bands of armed strike forces”.¹⁷ The struggle for power, the presence of Israeli collaborators, and disagreements over the peace process led to a process of fragmentation and growing internal dissension. The combined result of these developments **was an upsurge of lawlessness and institutional breakdown throughout the territories**, but especially in Gaza.¹⁸ By the early 1990s the *intifada* witnessed an increase in collaborator killings, as well as outbreaks of factional violence and internecine struggle.¹⁹

¹⁶ The settlement activities contravene the Fourth Geneva Convention, which prohibits occupying power from altering existing laws as well as the demographic character of the occupied land. See Ginbar (1997) and PHRIC (1994).

¹⁷ Usher (1995), p.5.

¹⁸ Roy (1993) and (1994), pp.85–98.

¹⁹ In the months after the Oslo Peace Accords were concluded, some 12 Palestinians were murdered in Gaza as “collaborators” by Hamas who, it was believed, staged a hunt for “collaborators” to demonstrate its muscle before the arrival of the Palestinian self-rule authorities and its police forces. Fatah responded by killing a few “collaborators” and kneecapping “suspects”. The pro-Arafat Fatah Hawks militia in Gaza proclaimed that they would assume the role of “policemen to supervise the population” in anticipation of the return of the PLO leadership. Although the PLO officially condemned the inter-Palestinian violence in the Occupied Territories, it was widely believed that the Fatah Hawks had been given the green light to assert their dominance and authority by force to prepare the ground for the return of the new PLO administration. A series of assassinations of prominent “inside” PLO leaders were believed to be a part of a purge against potential rivals of the “outside” Tunisian-based PLO leadership. For a short account of these developments, see Usher (1995), p.18.

In addition to increased lawlessness throughout the Occupied Territories, stemming from internecine fighting and the absence of legitimate law enforcement, the presence of more than 300,000 Jewish settlers throughout the Occupied Territories (including East Jerusalem),²⁰ constituted another major source of insecurity to Palestinians. Many of these settlers are violently opposed to the Oslo Accords and to any understanding with the Palestinians which would involve a transfer of any part of the Biblical *Eretz Yisrael*, the “Land of Israel”, to non-Jews. Although the vast majority of Palestinians killed in the Occupied Territories have been killed by the Israeli Army,²¹ **the threat of settler violence** is nevertheless seen as an immediate security threat to Palestinian West Bank and Gaza residents. This was most tragically demonstrated at the massacre in the Ibrahimi Mosque/Macpelah Cave in the West Bank City of Hebron in February 1994, where 29 worshippers were killed and hundreds wounded by a member of the Jewish extremist group Kach Chai, living at the nearby Kiriyyat Arba Settlement. The subsequent erection of a mausoleum and a statue of the perpetrator of the carnage at the entrance of the Settlement reinforced the widespread belief among the Palestinians in general, Hebronites in particular, that the massacre was not an isolated act of one mentally deranged individual, but a reflection of deep-rooted and widespread hostility towards them, and might well reoccur sooner or later.²²

These security threats – combined with the historical experience of the Palestinian Diaspora since 1948, the numerous ghetto communities in Palestinian refugee camps in a frequently hostile environment (Tal Za‘tar, Sabra and Shatilla massacres in Lebanon), persecution under Israeli occupation, and the forced dispersal of the Palestinian community throughout the Arab world – have been decisive in moulding the fundamental Palestinian demand for an independent state. Palestinian insecurity, it was believed, stemmed mainly from the lack of a state.²³ In sum, the fundamentals of security for Palestinians comprise:

- a complete and final end to Israeli military occupation and colonisation of Palestinian land and
- the establishment of a Palestinian state.

The centrality of an independent state in Palestinian security thinking cannot be overestimated. With regard to the peace negotiations, specific issues such as the extent of territory, the setting of borders and the return of refugees assume special importance, since they are deemed essential to the attainment of an independent state.²⁴ The Israeli settlement

²⁰ This includes perhaps 160 000–170 000 in Occupied East Jerusalem (no exact figures exist), around 140,000 in the West Bank and in Gaza. See Ginbar (1997), citing *1996 Statistical Abstract of Israel* (1996), and Felner (1997), p.32.

²¹ Oerum (1994), p.8.

²² Three years later the mausoleum was still in place, but on January 28, 1997 the Knesset Interior Committee was “calling on the IDF to remove any sign around Baruch Goldstein’s grave marking it as a place for worship and is asking the interministerial committee responsible for enforcing laws against incitement to suggest an alternative site for the grave.” See *Jerusalem Post*, 28 January 1997.

²³ Khalidi (1995).

²⁴ Sayigh (1995), p.34.

drive, which in fact continued unabated during the post-Oslo phase,²⁵ poses a particular threat, because it is perceived as systematic attempts to undermine the territorial basis for a future Palestinian state and thereby the fundamental basis for Palestinian security.

2.3 Sources of Palestinian Insecurity in the Post-Oslo Era: Indirect Israeli Occupation and the Palestinian Security Establishment

After the establishment of Palestinian Authority (PA) in limited parts of the Gaza Strip and the West Bank, a majority of the Palestinians in the West Bank and Gaza have gradually come under Palestinian self-rule. Threats to individual security of Palestinians have not ceased, however. In addition to the traditional threats from the presence of Israeli occupation forces, who still control more than 90% of the Occupied Territories, and violent extremist settlers, additional threats to the individual security of Palestinians have emerged. In the post-Oslo era, the Palestinian community has faced sources of insecurity common for ethnic conflicts in the wake of a peace settlements, such as **the proliferation of arms** and the presence of armed groups which were remnants of the *intifada* and were outside the immediate control of the central authorities. These armed groups had experienced a surge of power in relation to the civilian population that they were unwilling to abandon. Upon the PA's arrival in Gaza and the West Bank city of Jericho, the PA's newly created police forces were threatened with civil war by the militant opposition if they attempted to disarm them.

Another source of insecurity is **the large number of displaced persons** who have spent decades living in miserable conditions in refugee camps in the West Bank and Gaza. They constitute a reservoir of disgruntled Palestinians that can be mobilised by the Palestinian armed opposition. Other features common in ethnic conflicts in the aftermath of a peace settlement, such as a **bloated security establishment**, and a blurred distinction between external and internal security, are actually creations of the Palestinian Authority (PA) itself, acting under pressure from Israel and the donor community to strike hard against the opposition to the Oslo Peace Accords. There is an **absence of rule of law** under the Palestinian self-rule. Political groups associated with the opposition are systematically excluded or marginalised from political and economic life by the centralising and autocratic nature of Arafat's rule. The fledgling Palestinian security apparatus has acted with a brutality and lawlessness sometimes surpassing that of its predecessors.²⁶ Human rights organisations report of "an atmosphere of fear", created by the failure on the part of the PA

²⁵ Under the Israeli Labour government the settler population in the West Bank and Gaza grew by nearly 50% from c. 96,000 in June 1992 to nearly 145,000 by June 1996. The settler population grew by 10.2 % in 1994, against a 12% increase in 1993 and a 15% increase in 1992. In addition, land has been confiscated by the Israeli army for some 15 new highways that will connect the settlements with Israel proper, and with each other, by-passing and in effect segmenting Palestinian towns and villages into isolated cantons. See "Myths and facts about Jewish settlements" (Israeli Government Press Office, Jerusalem, 2 December 1997) and Usher (1995), p.84, citing *Report on Israeli Settlements in the Occupied Territories*, January 1995.

²⁶ See for example Amnesty International (1996) and Eid and Felner (1995).

to conduct and make public full and impartial investigations into abuses, allowing in practise “free rein to at least 10 security services who frequently operate as independent and competing entities”. According to Amnesty International, the **widespread human rights abuses** include “large scale arbitrary arrests, prolonged detention without charge or trial of hundreds of political detainees and the increasingly widespread use of tortures .. unlawful killings and possible extrajudicial executions”.²⁷

Increasing social and economic insecurity is another dimension of the new threat perceptions experienced by the Palestinian population in the post-Oslo period. As has been well-documented, “the economic and social conditions in the Palestinian territories have steadily and sharply deteriorated over the three years since the Oslo Agreement”.²⁸ Between 1992–1996 the per capita GNP declined by almost 40%.²⁹ Malnutrition is a rapidly growing problem, and unemployment is soaring, 18% in the West Bank and 30% in the Gaza Strip, as of the end of 1996. The number of hardship cases “are growing so fast that the aid agencies are less and less able to cope”.³⁰ The reason for this lies mainly within measures taken by Israel for security reasons, especially closure of the Occupied Territories and the Palestinian Self-Ruled Areas. Adding to the increased use of closure of the Occupied Territories, the post-Oslo phenomenon of restricting or blocking movement between the “pockets” of Palestinian Self-Ruled Areas has contributed to the general decline of the Palestinian economy.

In sum, Israeli threat perceptions revolve around the fear of weapons of mass destruction, and political violence by Palestinians under occupation, while sources to Palestinian insecurity are the very measures Israel takes to enhance its own security, such as practises by the occupation forces to fight terrorism, collective punishment in the form of closures etc. The post-Oslo period has also witnessed additional sources to Palestinian insecurity stemming primarily from the failure of the PA to institutionalise legitimate law enforcement in the areas under its control.

²⁷ The arrest of human rights activists and journalists who write about abuses and other heavy-handed methods against the press and independent NGOs has resulted in widespread self-censorship. The fact that the Palestinian struggle to get rid of the Israeli occupation has so far resulted in its replacement by a no less oppressive regime, when it comes to certain basic human rights, is perhaps the most bitter irony of the peace process. See Amnesty International (1996), p.1 and Robinson (1997), p.182.

²⁸ Roy (1997).

²⁹ GNP per capita dropped by 38.8% between 1992 to 1996, and by 8.5% throughout 1996, according to UNSCO’s quarterly reports. See also Peter Kiernan, “The Economics of Peace for the Palestinians”, *Middle East International* No.553, 27 June 1997, p.17.

³⁰ Roy, (1997). According to the Palestinian Central Bureau for Statistics, in 1995 the rate of open unemployment was 13% in the West Bank and 31% in the Gaza Strip, with an additional 20 % registered as underemployed in the two areas. The main reason for the rise in unemployment was border closures. Since the Oslo Accords, Palestinian employment in Israel has fluctuated considerably, decreasing from a daily average of almost 120,000 in 1992, to less than 30,000 in 1995. See United Nations / World Bank (July 1996), p.80.

3 THE PALESTINIAN–ISRAELI PEACE AGREEMENTS

3.1 The Historical Background for the Oslo Accords

The beginning of the present Palestinian–Israeli peace process dates back to the Madrid Peace Conference held on 30 October 1991 co-sponsored by the United States and the Soviet Union.³¹ Madrid marked a watershed in the Arab–Israeli conflict, since it inaugurated the first direct peace negotiations between Israel, the Palestinians and their Arab neighbours.³² The process set up bilateral negotiating tracks between Israel and the Palestinians, and between Israel and Syria, Lebanon and Jordan.³³ UN Security Council Resolutions 242 and 338, setting out the principle of peace for land, constituted the declared basis for the peace talks. The Madrid Conference in many ways laid the groundwork for all future peace processes, and paved the way for the breakthrough in Oslo in 1993.

The combined effects of the *intifada*, the end of the Cold War, and the Second Gulf War are frequently cited as explanations why Israel and the Palestinians came to the realisation that the conflict could be resolved.³⁴ A momentum had been created by the Arab participation in the multinational, but US-led, coalition against Iraq. Moreover, for the first time the United States brought heavy and sustained pressure to bear on the Israeli government to be more receptive to the US peace initiatives, and almost forced it to participate in the peace talks in Madrid. The Israeli elections in 1992 led to the departure of the Israeli rightist government of Yitzhak Shamir, and its replacement by the more dovish Labour Party which had campaigned on a political platform that included negotiating a Palestinian autonomy plan within nine months.

The new prime minister Yitzak Rabin, a former general and well-known for his commitment to Israeli security (and notorious for his brutality in suppressing the Palestinian *intifada*) was slowly induced by several of his more dovish advisors, including Shimon Peres and Yossi Beilin in the Foreign Ministry, to accept a peace settlement with the PLO. The priority of a peace agenda in Israel was closely connected to the Gulf War, and the resultant turning-point in the attitude of the Israeli public toward the peace process. For the first time, the Israeli public began to regard the peace process as an integral component of security.³⁵ For Israel the Gulf War had demonstrated that the United States did not

³¹ The conference was sanctioned by the attendance of observer delegations from the North African countries and the Arab Gulf states as well as by the representatives from the United Nations and the European Community.

³² The Camp David Peace Accords contained an agreement between Israel and Egypt on principles for Palestinian self-rule in Gaza and the West Bank, but its provisions were never carried out. The Palestinians were not signatories to this agreement.

³³ Kaye (1997), pp.167–186.

³⁴ Aggestam (1996), p.14; Gazit (1994), p.4.

³⁵ Makovsky (1996), p.133.

necessarily regard Israel as a “strategic asset” in the region. With the end of the Cold War, the United States was now able to build regional alliances with other Arab states, including Syria, and there was concern in Israel as to the implications for the “special relationship” between the United States and Israel.³⁶ Moreover, the Gulf War “had demonstrated that the Palestinian issue still resonated in intra-Arab strategic relations and that it needed to be resolved in order to prevent radical regimes such as Iran and Iraq from using it as a rallying cry for their own strategic purposes”.³⁷ Thus, Prime Minister Rabin felt that the international and regional changes offered Israel a short-termed “window of opportunity” to resolve the core conflict with Israel’s Arab neighbours, for which a Palestinian–Israeli peace settlement was required. This would allow Israel to face the primary long-term strategic threat from Iran and Iraq. The fear of Iran, the perceived source of “Islamic fundamentalism” in the region, nurtured the belief that Israel needed a peace settlement with the Palestinians to face the looming danger of radical Islamism. The rise of Hamas and Islamic Jihad in the Occupied Territories was seen as a powerful manifestation of “the coming threat of Islam”. According to David Makovsky, “one cannot overestimate the importance of the rise of Hamas in persuading Israel, and Rabin in particular, to pursue the opportunity that Oslo presented”.³⁸

A major reason for Rabin’s decision to make peace with the Palestinians was the belief that it would improve security for the Israelis, and put an end to violence and terrorism by Palestinians against Israelis. During the *intifada*, Israel attempted all kinds of strategies, including torture and collective punishments, to end the uprising, but without much success. There was heavy public pressure in Israel for a withdrawal, even unilaterally, from the Gazan “hellhole”. Rabin was led to believe that the PLO leadership would be in a much stronger position to control the Palestinian uprising than the Israeli army and would relieve Israel from the burden of occupation. Finally, the Israeli peace agenda was underpinned by a deep-seated wish in Israel to end the country’s regional isolation and its often-felt pariah status in the international community. In particular, it was understood that the opening of Arab markets and trade, exchange and normalisation of relations with Arab states would be difficult, if not impossible, to achieve without the blessing of the Palestinians.³⁹ **The PLO’s main negotiating card was that it very much controlled Israel’s path to peace with its neighbours.** “The Palestinian question” was largely a domestic policy issue in many Arab countries, rather than a foreign policy issue, given the strong repercussions any move in the Palestinian–Israeli conflict would have on domestic public opinion in most Arab countries. For that reason no Arab government, apart from Egypt, had risked concluding peace with Israel before the PLO had done so.

³⁶ Aggestam (1996), p.14.

³⁷ Makovsky (1996), p.111.

³⁸ *Ibid*, pp.111–112.

³⁹ This was also understood as one of the points of leverage by the Palestinian side. See Abu Lughoud et al. (1995), p.2.

The PLO's road to peace with Israel had begun with the PLO's gradual adoption of a two-state solution of the Palestinian–Israeli conflict, starting with the 1974 PNC resolution adopting an incremental approach towards the liberation of Palestine by endorsing a “national authority” for any liberated part of Palestine. Following Jordan's decision to relinquish its claim on the West Bank in 1988, the PNC made another step towards a two-state solution by adopting a declaration of “Independent Palestine” in the Occupied Territories. Furthermore, the PLO leader Yassir Arafat publicly recognised the State of Israel within its borders prior to the 1967 war, and renounced political violence. Through these decisions, the PLO had taken important steps towards a peace settlement with Israel. The eruption of the *intifada* (literally: “shaking off”) at the end of 1987 considerably strengthened the Palestinian position in the international community and correspondingly discredited Israel for its brutal occupational policies. Although the *intifada* increased the international pressure on Israel, it also had the potential of creating a dangerous split between the “internal” and “external” leadership. PLO leader Arafat was much discredited by his support for Saddam Hussayn during the Gulf War. The PLO organisation faced financial bankruptcy as badly needed funds from the Gulf countries dried up after the PLO leader's encounter with Saddam Husayn during the Gulf crisis.⁴⁰ An important vehicle for ensuring loyalty to the PLO –the control of funds and subsidies to PLO and PLO-supported institutions, refugee camps etc. – was lost. Adding to this hardship, some 400, 0000 Palestinian guest workers were expelled from the Gulf countries because of the PLO's stance in the Gulf War. Moreover, Israeli policies in the early 1990s were particularly threatening for the PLO leadership. The end of the Cold War allowed for the immigration of some 400, 000 Soviet Jews into Israel, significantly strengthening the population base for the Jewish state. The increased immigration “justified” the new settlement drive of the Likud government. In 1991 alone, almost 50, 000 acres were confiscated in the Occupied Territories, 8 new settlements were established, including some 14,000 house units.⁴¹ The message to the PLO was that time was running out – the accelerated settlement drives threatened to render any future negotiations meaningless. Moreover, the rise of Palestinian resistance movements in the territories outside PLO control, in particular the Islamist parties, presented a growing challenge to the PLO. In a sense the growing strength of Hamas presented Israel and the PLO with a common enemy. At the same time, the ongoing Madrid peace process had side-lined the PLO as a focus for international attention. Although the joint Jordanian–Palestinian delegation provided a back door for the PLO, the organisation was still formally excluded from the peace talks since Israel had stubbornly refused to recognise the PLO.⁴²

⁴⁰ According to some estimates, the PLO lost some US \$120 mill in annual donations from Saudi Arabia, Kuwait and Iraq after the Gulf War. In addition, the loss of other revenues and Palestinian deposits in Kuwaiti banks reportedly brought PLO debt to around US\$10 billion. See Usher (1995), p.1.

⁴¹ Usher 1995, p.4.

⁴² The United States had suspended its dialogue with the PLO following a failed attack on an Israeli beach by PLO-affiliated groups in 1990. PLO leader Yasir Arafat feared the Israeli and US attempts to drive a wedge between “the insiders” in the Occupied Territories and “the outsiders”, i.e. the PLO leadership in

- Protocol on Redeployment in the City of Hebron, 15 January 1997.

3.2.1 Letters of Mutual Recognition Between the PLO and Israel

Prior to the signing ceremony for the Declaration of Principle in Washington, an exchange of letters took place between PLO Chairman Yassir Arafat and Prime Minister Yitzhak Rabin, with the Norwegian Foreign Minister Holst serving as messenger. PLO leader Arafat explicitly recognised “the right of the State of Israel to exist in peace and security” and announced his acceptance of Security Council Resolutions 242 and 338. Moreover, he declared the PLO’s commitment to peaceful resolution of the conflict, and renounced “the use of terrorism and other acts of violence”. The PLO leader further pledged to “assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators”. Finally, the PLO Chairman declared that the provisions of the Palestinian Covenant from 1968, (the PLO Charter) which “deny Israel’s right to exist .. are now inoperative and no longer valid”,⁵¹ and that the necessary amendments would be made.⁵² The PLO leader also addressed the Palestinian people in the Occupied Territories in a separate letter to Foreign Minister Holst, in which he called upon them to “take part in the steps leading to a normalisation of life, rejecting violence and terrorism”⁵³, a call widely seen as an order to end the Palestinian Uprising (*intifada*).⁵⁴ In response to these concessions Prime Minister Rabin declared Israel’s recognition of “the PLO as the representative of the Palestinian people” and that Israel would “commence negotiations with the PLO within the Middle East peace process”.⁵⁵

3.2.2 The Declaration of Principles on Interim Self-Government Arrangements (DoP)

The DoP constitutes the principal framework for the Oslo peace process. A summary of the main issues is given below, with emphasis on the security-related provisions:

- The agreement stipulates the establishment of a Palestinian Self-Government Authority for the duration of a five-year transitional period which is gradually to replace the Israeli civilian administration in the West Bank and Gaza in a number of fields, including “education and culture, health, social welfare, direct taxation and tourism.”⁵⁶

⁵¹ “Exchanged letters” in Jerusalem Media and Communication Centre (JMCC), *Occasional Document Series* No.3 (November 1994), p.27.

⁵² The Palestinian National Council was convened in Gaza in April 1996 for the purpose of amending the PLO Charter, but referred the matter to a working group.

⁵³ “Exchanged letters” in Jerusalem Media and Communication Centre (JMCC), *Occasional Document Series* No.3 (November 1994), p.29.

⁵⁴ Butenschon (1998), p.22.

⁵⁵ “Exchanged letters” in Jerusalem Media and Communication Centre (JMCC), *Occasional Document Series* No.3 (November 1994), p.28.

⁵⁶ *Declaration of Principles*, Article VI.2.

- **Arrangements are made “for the assumption of internal security and public order by the Palestinian police consisting of police officers recruited locally and from abroad”.**⁵⁷
- **Israeli withdrawal**⁵⁸ **will begin in the Gaza Strip and the Jericho area.** “Not later than the eve of the elections for the Council a redeployment of Israeli military forces in the West Bank and the Gaza Strip will take place ... **guided by the principle that its military forces should be redeployed outside populated areas**”.⁵⁹
- **Further transfer of territory will be dependent upon Palestinian security performance:** “Further [Israeli] redeployments to specified locations will be gradually implemented commensurate with the assumption of responsibility for public order and internal security by the Palestinian police...”⁶⁰
- Elections to a Self-Government Council will be held as soon as possible under international supervision and after the Israeli redeployment.
- The jurisdiction of the Council covers “West Bank and Gaza Strip”, which both parties “view .. as a single territorial unit, whose integrity will be preserved during the interim period”.⁶¹ However, the Council’s jurisdiction does not cover the occupied East Jerusalem, nor the numerous Israeli settlements in the West Bank and Gaza, not external security, Israeli citizens, and foreign relations. **The defence of Israeli settlements, use of roads, water resources etc. will still be in the hands of Israel throughout the interim period.**
- Negotiations on final status for the West Bank and Gaza will commence no later than at the beginning of the third year after the beginning of the interim period and will deal with final security arrangements, borders, the status of Jerusalem, Palestinian refugees, and the future of the Israeli settlements. The outcome of these negotiations “should not be prejudiced by or pre-empted by agreements reached for the interim period”.
- **The DoP also provides for the establishment of a number of joint committees and co-operative structures for the purpose of “mutual security” (the Joint Palestinian–Israeli Co-ordination and Co-operation Committee)**⁶², “economic co-operation”⁶³, and “regional development programs”, including “multilateral working groups” for the purpose of “promoting a “Marshal Plan” .. and special programs for the West Bank and the Gaza Strip”.⁶⁴

The Agreement does not define the political nature or territorial extension of the future Palestinian entity, but contains stipulations with regard to mechanisms and deadlines for a

⁵⁷ *Declaration of Principles*, Annex II.3.c.

⁵⁸ The term “withdrawal” is used only in the context of the Israeli withdrawal from Gaza and Jericho. Future withdrawals from the Occupied Territories are termed “redeployment” in order not to prejudice future negotiations on the final status of the Territories.

⁵⁹ *Declaration of Principles*, Article XIII.1 and XIII.2.

⁶⁰ *Declaration of Principles*, Article XIII.3.

⁶¹ *Declaration of Principles*, Article IV.

⁶² *Declaration of Principles*, Annex II.3.e.

⁶³ *Declaration of Principles*, Article XI.

⁶⁴ *Declaration of Principles*, Article XVI.

step-by-step implementation of peace.⁶⁵ The interim period was intended to serve as a period of confidence building, “allowing the development of new attitudes, of a new state of mind, and will allow flexibility, moderation and good will” in order to bridge “the current unbridgeable gap” between moderate Palestinians and moderate Israelis.⁶⁶ Yezid Sayigh described the concept of an interim period as follows:

Each step actually taken forward breaks an old taboo, or at least facilitates the contemplation of compromises, which previously not only was regarded as unacceptable, but also unthinkable. ... it assumes that successful application of each practical measure or phase will demonstrate the ways to be found, in order indeed to reconcile conflicting political claims and security needs. Evidence of practicality encourages an “engineering approach” and a relaxation of ideological imperatives.⁶⁷

The strategy behind the Oslo Accords was to reach a “point of no return” where the costs of breaking the negotiations would very soon exceed the costs of continuing the process. The process “glues the parties together in a common destiny”, and make the peace process irreversible.⁶⁸ The conviction that “there was no other alternative” guided much of the thinking on the Oslo Accords. The overriding preoccupation of third parties involved thus became to ensure the continuation of the political negotiations, while the negative effects of the peace process were seen as necessary sacrifices in order to reach a lasting peace some time in the future.

3.3 A Third-party Role in Security in the Oslo Accord?

The DoP does not allow for any substantial international involvement in the field of security. All matters related to security are generally defined as strictly *bilateral* matters between Israel and the PLO – or, more frequently, as solely an Israeli prerogative. The DoP specifically states that:

In order to guarantee public order and internal security for the Palestinians of the West Bank and the Gaza Strip, the Council [i.e. the Palestinian Interim Self-Government Authority] will establish a strong police force, while Israel will continue to carry the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.⁶⁹

The Agreed Minutes to the DoP stipulate that “subsequent to the Israeli withdrawal, Israel will continue to be responsible for external security, and for internal security and public order of settlements and Israelis”. A third-party role is defined in the proposed “Continuing Committee that will decide by agreement on the modalities of admission of persons displaced from the West Bank and Gaza Strip in 1967, together with necessary measures to

⁶⁵ Butenschon (1998), p.19

⁶⁶ Gazit (1994), p.4.

⁶⁷ Sayigh (1995), p.32.

⁶⁸ Informal lecture by a diplomat involved in the peace negotiations.

⁶⁹ Article VIII, “Public Order and Security” of the DoP.

prevent disruption and disorder”.⁷⁰ Egypt and Jordan are invited to participate in this committee. However, this provision has not been translated into any substantial third-party role in the area of providing security for repatriated displaced persons, of whom there has been only a relatively limited number. The “Protocol on Withdrawal of Israeli Forces from the Gaza Strip and Jericho Area” (Annex II of the DoP), provides for “the establishment of a joint Palestinian–Israeli Co-ordination and Co-operation Committee for mutual security purposes”, with no reference to the participation of any third party. The only provision where an international involvement in security may have been possible with the basis in the Agreement is a clause of the “Protocol on Withdrawal of Israeli Forces from the Gaza Strip and Jericho Area” (Annex II of the DoP), stating that the agreement will include “a temporary international or foreign presence, as agreed upon”.⁷¹ There are no clarifications in the DoP to what this “international or foreign presence” might involve, and the term was clearly left ambiguous at that point in the peace process.

In sharp contrast to the limited scope of third-party security assistance in the Agreement, the DoP is far more generous in the field of economic development and regional co-operation. The DoP calls for a “Marshal Plan” in support of the peace process, and sees the multilateral mechanisms already established within the framework of the Madrid process as an appropriate forum.⁷² Furthermore, the DoP calls for “an economic development and stabilisation program, including the establishment of an Emergency Fund, to encourage foreign investment, and financial and economic support. Both sides will co-ordinate and co-operate jointly and unilaterally with regional and international parties to support these aims”.⁷³ Annex IV of the DoP is specifically devoted to the issue of Israeli–Palestinian co-operation concerning regional development programmes, which are to take place “in the context of the multilateral peace efforts in promoting a Development Program for the Region.. [t]he parties will request the G–7 to seek the participation in this program of other interested states, such as members of the OECD, regional Arab states and institutions, as well as members of the private sector”.⁷⁴

Thus, while actors, aims and tasks in the field of regional development programs and post-conflict reconstruction are relatively easy to identify, the vague ambiguous “international or foreign presence” is about everything that can be interpreted as allowing for international involvement in the field of security in the DoP. In other words, **the Agreement does not specify security or security-related tasks for international third parties to undertake or facilitate.** As a consequence, external actors have had to find a role for security-related

⁷⁰ *Ibid.*

⁷¹ Annex II, “Protocol on Withdrawal of Israeli Forces from the Gaza Strip and Jericho Area” of the DoP.

⁷² The DoP states that “[b]oth parties view the multilateral working groups as an appropriate instrument for promoting a ‘Marshall Plan’, the regional programs and other programs, including special programs for the West Bank and Gaza Strip..”. See Article XVI, “Israeli–Palestinian Cooperation Concerning Regional Programs” of the DoP.

⁷³ Annex II, “Protocol on Withdrawal of Israeli Forces from the Gaza Strip and Jericho Area” of the DoP.

⁷⁴ Annex IV, “Protocol on Israeli–Palestinian Cooperation Concerning Regional Development Program” of the DoP.

assistance within the Agreement's economic provisions, by promoting security through various economic assistance programmes without a well-defined and agreed-upon basis for security assistance.

During the implementation period, third parties have gradually assumed a greater role in security, however. Two examples are the third-party role of the USA, through the CIA and its participation in the Palestinian-Israeli security co-ordination meetings as a "referee", and the EU's security co-operation agreement with the Palestinians.

A corollary of the limited role of a third party in security-related matters in the Agreements is the absence of any provisions allowing third-party involvement in the Agreement's conflict resolution mechanism. Liaison and conflict resolution mechanisms between the two parties are strictly bilaterally structured: "In order to provide for a smooth implementation of this Declaration of Principles .. a Joint Israeli-Palestinian Liaison Committee will be established."⁷⁵ Disputes arising out of the application or the interpretation of the DoP or subsequent agreements, "shall be resolved by negotiations through the Joint Liaison Committee"⁷⁶ Joel Singer, one of the chief architects of the DoP, noted correctly that, if the bilateral Joint Liaison Committee is unsuccessful in resolving disputes, "there is no mandatory next step"⁷⁷ The Oslo Accords thus lacked recognised mechanisms for resolving deadlocks in the event of failure of the negotiations, such as references to an international arbitration committee to resolve disputes concerning the interpretation of the agreement, as had been the case in the Camp David Accords.⁷⁸

In the absence of an institutionalised role for third parties, the parties to the conflict are more likely to stalemate and engage in brinkmanship. In the Oslo process many observers and practitioners saw **the peace process essentially as progress through crises**. The crises during the implementation process were characterised by the former UN's Special Co-ordinator in the Occupied Territories, Terje Rød-Larsen, as "creative crises", necessary to bring the process further. The crises are "inherently a part of the Oslo process, and a result of the process's form".⁷⁹

⁷⁵ Article X, "Joint Israeli-Palestinian Liaison Committee" of the DoP.

⁷⁶ Article XV, "Resolution of Disputes" of the DoP.

⁷⁷ Singer (1994), p.10.

⁷⁸ According to Burhan Dajani, this demonstrated that "Israel learned the lessons of Taba well", a border-town dispute which Egypt and Israel had submitted to international arbitration, ending with a decision in Israel's disfavour. Throughout the implementation period, the Palestinian side attempted to engage third parties in resolving disputes with Israel. On 15 March 1997 the PA convened an international conference in Gaza to discuss the issue of Israeli settlements on Occupied Territory. The Israeli side argued, by referring to the Agreement, that this was another example of the PA's "glaring violations of the agreement", because the Agreement stipulated a strictly bilateral mechanism for resolution of disputes. See Dajani (1994), p.18 and Information Division/Israel Foreign Ministry, "Unilateral Measures taken by the Palestinian Authority in Violation of Oslo" (14 April 1997).

⁷⁹ Lecture. April 1997.

This philosophy probably informed a controversial recommendation by US National Security Committee to President Clinton during the volatile situation in August 1997 that “he allow the explosive situation between Israel and the Palestinians to deteriorate to a violent clash”. This logic was based on the premise that both the Israelis and the Palestinians were still not prepared for a renewal of negotiations, and only a violent crisis would push them back to the negotiation table.⁸⁰ The “creative crisis”-logic presupposes that any ensuing conflicts must be contained at a low level so that “the medicine does not kill the patient”. If crises become too violent, this often enhances support for rejectionist groups, especially if there are heavy casualties.

3.4 Agreements on Early Implementation

The implementation of the first stage of the Palestinian Self-Rule was not a smooth process. The two parties were unable to reach an agreement on the implementation of the Israeli withdrawal from Gaza and Jericho due to start on 13 December 1993, the deadline stipulated in the DoP.

3.4.1 The Cairo Agreement 9 February 1994

Some progress was made during the first months of 1994, and on 9 February 1994 the parties signed “The Cairo Agreement”, a short document which the parties agreed to include in the forthcoming Gaza–Jericho Agreement. It dealt with a few contentious issues, such as the size of the Jericho district to be transferred to the PA’s jurisdiction and security arrangements to be set up at the Allenby Bridge, connecting the West Bank and Jordan, and at the border crossing from Egypt to the southern Gaza town of Rafah. The issue of border arrangements was a delicate one since Israel, according to the DoP, was entitled to full control over external security, but, over the years, Palestinians have bitterly complained that Israeli border officials and soldiers have subjected them to humiliating searches. Moreover, visible Israeli checkpoints at the borders between the Palestinian autonomous areas and the neighbouring states would make Palestinian self-rule look like the *Bantustans* of the former apartheid South Africa and undermine Palestinian hopes for a future state. An agreement was reached, however, whereby Israel retained a veto over all security matters, including the entry of all individuals and goods, yet the Palestinians were allowed to have Palestinian policemen and flags at borderpoints, and Israeli security officers would be posted discretely behind partitions and mirrored windows, monitoring travellers with electronic devices in such a way that most visitors would be able to enter the checkpoints and see only Palestinian officials.⁸¹ The Palestinians made concessions to Israel by agreeing to *various forms of security co-operation*, such as joint patrols with the Israel Defence Forces (IDF) and by allowing Israel to define clusters of individual settlements as single cohesive blocs, making it

⁸⁰ *Yediot Aharanot*, 26 October 1997, quoted in *Mideast Dispatch*, 25 October 1997.

⁸¹ “The Cairo Agreement”, 9 February 1994.

easier for the IDF to defend them, although this provoked much criticism among Palestinians because it almost doubled the size of Israeli-held territory in the Gaza Strip.⁸² In return the Israeli side dropped its insistence that the IDF be allowed to enter Palestinian self-rule areas, *yielding on the concept of “hot pursuits”* and its right to first strike or “pre-emption”, which had been central to Israeli military doctrine since the early 1950s.⁸³ This was a key element signalling another vital step towards the acceptance of Palestinian statehood.

3.4.2 The Agreement on Security Arrangements in Hebron (the TIPH mission) and the Resumption of Negotiations, 31 March 1994

In the aftermath of the Hebron massacre of 24 February 1994, the Palestinian leadership suspended the peace talks until satisfactory security arrangements could be found for the Palestinian population in Hebron. In response to the atrocities in Hebron, the UN Security Council passed Resolution 904 calling for measures to be taken to protect the Palestinian Hebronites. To this end it called for “an international presence in the city of Hebron” in accordance with the DoP. On 31 March 1994 an agreement was reached between the parties regarding security arrangements in Hebron; this included the establishment of an international observer mission in the City and the renewal of negotiations.

3.4.3 The Agreement on the Gaza Strip and the Jericho Area, 4 May 1995

On 4 May 1994 the parties signed “The Agreement on the Gaza Strip and the Jericho Area” (sometimes confusingly labelled “The Cairo Agreement”), which outlined the implementation plan for the first Palestinian self-rule in the Occupied Territories. This Gaza–Jericho Agreement marked an important watershed, since it signalled the beginning of Palestinian Self-Rule and paved the way for the return of PLO leader Arafat to Gaza in July 1994. Moreover, the five-year interim period referred to in the DoP commences on the date of the signing of the Agreement.⁸⁴ The Gaza–Jericho Agreement of 4 May 1994 thus set the deadlines for further negotiations, including the beginning of the final status (to begin no later than May 1996), as well as the conclusion of the Interim period (May 1999).

In this Agreement Israel pledged to complete its withdrawal from the Gaza Strip, excluding the Settlement Area and the Military Installation Area which comprised almost a third of the Gazan territory, and from the Jericho Area within three weeks. Israel retained the right for Israelis and Israeli military forces to use roads freely within the Gaza Strip and the Jericho Area.⁸⁵ The Gaza–Jericho agreement provided for a “Palestinian Authority” consisting of a temporary executive body of 24 members, pending the election of a Palestinian Self-

⁸² Usher (1995), pp.19–20

⁸³ Makovsky (1996), p.145.

⁸⁴ “The Agreement on the Gaza Strip and the Jericho Area” (4 May 1994), Article XXIII.3.

⁸⁵ “The Agreement on the Gaza Strip and the Jericho Area” (4 May 1994), Article II.5.

Government Authority or Council to take place after Israeli redeployment from the populated centres of the West Bank. An important limitation on the powers of the Palestinian Authority was the provision that Palestinian legislation would be subject to Israeli approval. Legislation dealing with “security issues” would fall solely under Israel’s purview.⁸⁶ Another limitation on Palestinian self-rule was the provision that the PA “will not have powers and responsibilities in the sphere of foreign relations”.⁸⁷ Nevertheless, the Agreement allowed the PLO to “conduct negotiations and sign agreements with states or international organisations for the benefit of the Palestinian Authority” in a limited number of cases, such as “economic agreements, agreement with donor countries for the purpose of implementing arrangements for the provision of assistance to the Palestinian Authority”.⁸⁸ It also allowed for “dealings between the Palestinian Authority and representatives of foreign states and international organisations as well as the establishment in the Gaza Strip and the Jericho Area of representative offices .. for the purpose of implementing the agreements”.⁸⁹ These provisions were essential for donor efforts in the areas controlled by the Palestinian Authority, and provided a legal basis for their activities. Moreover, the international donor efforts and mechanisms set up to this end formalised and strengthened international recognition of the DoP and the Palestinian Self-Rule.

All provisions of the Gaza–Jericho Agreement were subjected to the priority of Israeli security concerns. The Agreement stressed the PA’s responsibility for subduing resistance to the Israeli occupation, including the Israeli settlers. Both parties were obliged to “take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against each other.. and shall take legal measures against offenders”.⁹⁰ The Gaza–Jericho Agreement provides for “safe passage” during daylight hours between the Gaza Strip and the Jericho Area.⁹¹ But again, Israel retained its right to “temporarily modify the arrangements for safe passages” at its own discretion. The Agreement stipulated Israel’s right to close all crossing points into Israel “for security and safety considerations” and to prohibit or limit the entry into Israel of residents and vehicles from the Gaza Strip and the Jericho Area”.⁹² This provision was particularly fatal during the implementation period, when Israeli closure policies threatened to undo much of the donor efforts aimed at

⁸⁶ Graham Usher has argued that the Cairo Agreement granted the Israelis concessions on security “far more sweeping than anything specified in the DoP”. (Usher 1995, p.23). A close reading of Joel Signer’s understanding of the DoP reveals that his interpretation largely prevailed in the first implementation agreement. Yet the Israeli relinquishment of “hot pursuit” must be considered as a major victory for the Palestinian dream of a state of their own.

⁸⁷ “The Agreement on the Gaza Strip and the Jericho Area” (4 May 1994), Article VI.2a.

⁸⁸ *Ibid.*, Article VI.2b.

⁸⁹ *Ibid.*, Article VI.2c.

⁹⁰ *Ibid.*, Article XVIII.

⁹¹ In addition, safe passage between the Jericho Area to the holy site of Nabi Mousa (the Prophet Moses), and the Al-Maghtas, as well as to Palestinian private projects and joint ventures, located at the shores of the Dead Sea. See *Ibid.*, Annex I: Protocol Concerning Withdrawal of Israeli Military Forces and Security Arrangements” (signed 4 May 1994), Article V.5. and IX.

⁹² *Ibid.*, Annex I, Article VII.1.d.

increasing the support for the peace process through post-conflict reconstruction and development in the Occupied Territories.

3.4.4 Security Co-operation and Co-ordination

A fundamental part of the Gaza–Jericho Agreement was the heavy obligations put on the PA in the field of security co-operation with the Israeli counterpart. In order to understand the context for the central part of international security assistance to the Palestinian Police Force (PPF), a review of the security co-operation mechanisms established by the Accord is necessary. The Gaza–Jericho Agreement contained elaborated provisions for security co-operation and co-ordination between the IDF and the PPF.⁹³ From an Israeli perspective this was seen as perhaps the most remarkable innovation in the Agreement,⁹⁴ and served to integrate the Palestinian police in a working relationship with the Israeli security establishment.

The Gaza Strip was divided into three categories regarding security control. The Israeli settlements and surrounding areas were placed solely under Israeli authority. In areas in the vicinity of the Israeli settlement along the southern borders and the seashore, Israel retained “the overriding responsibility and powers for security” while the Palestinian Authority was to have responsibility and powers for civilian affairs. In this area, often called “Area B”, as opposed to “Area A” under “full” Palestinian authority, the parties were obliged to co-ordinate and co-operate in security matters. In effect, this meant that Palestinian police could enter these areas only if accompanied by Israeli military forces.⁹⁵ The co-ordinating mechanisms provided for in the Agreement linked the Palestinian police with residual IDF personnel. These mechanisms included “a Joint Security Co-ordination and Co-operation Committee for Mutual Security Purposes” (JSC)⁹⁶ reinforced by three joint “District Co-ordination Offices” (DCOs), and a set of mobile “Joint Patrols” for monitoring roads, “Joint Mobile Units”, for rapid response to emergencies, and “Liaison Bureau” for security co-ordination at the border crossings.

These structures were designed to handle co-ordination during the withdrawal from Gaza, and subsequently deal with common security issues. According to the Agreement, the JSC shall recommend and in case of approval implement “security policy guidelines”, “deal with security issues raised by either side”, provide a channel for exchanging information between the two sides, as well as providing directives for the DCOs.⁹⁷ While the JSC is to meet every two weeks, or within 48 hours on request, the DCOs are to operate 24 hours a day,

⁹³ Security cooperation was also a part of the Camp David Peace Accords, but the Israeli counterpart was supposed to be *Jordanian* forces, and not the Palestinians. The term “a strong police force” was also included in the Camp David Accords.

⁹⁴ Makovsky (1996).

⁹⁵ “The Agreement on the Gaza Strip and the Jericho Area” (4 May 1994), Annex I: Protocol Concerning Withdrawal of Israeli Military Forces and Security Arrangements”, Article VIII.2.

⁹⁶ *Ibid.*, Annex I, Article II.1.

⁹⁷ *Ibid.*, Annex I, Article II.1.b.

and shall “monitor and manage all matter of joint nature” within their districts, as well as investigating and reporting to the JSC. Both sides are obliged by the Agreement to report to the DCOs “routine, scheduled or irregular activity or deployment by the Israeli military forces or the Palestinian police that directly affect the other side”, including “activity and deployment in the proximity of Settlements or Palestinian villages” and “incidents involving both Israelis and Palestinians”, “any event involving injury to Israelis, at any location within the Gaza Strip and the Jericho area” etc..⁹⁸ **The list of events and activities to be reported to the DCOs is very comprehensive and amounts to an extensive exchange of information on all matters relating to security.**

The DCOs direct the Joint Patrols, the Joint Mobile Units, and the Liaison Bureaus, which may be described as the field units for the Palestinian–Israeli security co-operation mechanism. The concept of Joint Patrols was designed to cope with problems stemming from the intermingling of Israeli settlers and Palestinian civilians in the Occupied Territories.⁹⁹ The Joint Patrols consist of two vehicles, one Palestinian and one Israeli, four persons in each, and conduct 24-hour patrols on the roads or in the areas adjacent to the roads. Their mission is “to ensure free, unimpeded and secure movement along the roads”, and to “monitor continuously movement within their area of operation with a view to preventing incidents”.¹⁰⁰ The Joint Mobile Units have a composition similar to that of the Joint Patrols, and complement the Joint Patrols by providing “rapid response in the event of incidents and emergency situations”. The Joint Mobile Units monitor movements along designated roads from stationary locations on agreed junctions, but may also patrol at random. The Liaison Bureau operates at crossing points and passages, such as at the Allenby terminal on the Jordanian border, and the Erez crossing into Israel, and deals with “matters regarding passengers passing through the Palestinian wing at the border crossings”, and “issues requiring co-ordination”, as well as “deal(ing) with incidents”.¹⁰¹

In addition to its central role in Palestinian–Israeli security co-operation, the PPF’s primary function in the Gaza–Jericho Agreement is “public order and internal security”, such as protecting the public and its property, preventing crime and securing public installations. Moreover, the PPF shall assume the duty of preventing infiltration into Israel and smuggling of arms across the borders.¹⁰² To this end, the Agreement stipulates that along the fence erected between Israel and the Gaza Strip a buffer zone, labelled “security perimeter” is to be put in place and the PPF will be responsible for security in the zone. The PPF “will

⁹⁸ *Ibid.*, Annex I, Article II.2.

⁹⁹ In any incident involving one or two of the parties, the Palestinian part of the Joint Patrol would deal with the Palestinians and the Israeli part would deal with Israelis. The Agreement confirmed that Palestinian jurisdiction extended only to Palestinians: “Israelis shall under no circumstances be apprehended, arrested or placed in custody or prison by Palestinian authorities.” The PPF may detain Israeli civilians only until the arrival of a joint patrol or other Israeli authorities. *Ibid.*, Annex I, Article VIII.4.b.

¹⁰⁰ *Ibid.*, Annex I, Article II.3

¹⁰¹ *Ibid.*, Annex I, Article X.5.

¹⁰² For an analysis of the Gaza–Jericho Agreement from a Palestinian security perspective, see Weinberger (1995).

enforce special security measures aimed at preventing infiltrations across the Delimitation Line”.¹⁰³ In sum, **the critical importance of the Palestinian–Israeli security co-operation** made the successful establishment of a professional Palestinian Police force the major focus of international security assistance during the early implementation period (Chapter 5).

3.4.5 Temporary International Presence (TIP)

The Gaza–Jericho Agreement contained provisions for an expanded “Temporary International Presence” (TIP) beyond the Agreement of 30 March 1994 on the TIPH mission in Hebron.¹⁰⁴ Another protocol to the TIP was signed in October 1994, but for a variety of reasons, notably Israeli reluctance to allow what they saw as a third-party “buffer” between themselves and the Palestinians, it was never implemented.¹⁰⁵

3.5 Agreements on Further Implementation

Israeli refusal to implement several aspects of the Gaza–Jericho Accord, such as the opening of “safe passages”, unilateral steps such as settlement,¹⁰⁶ in addition to full and partial closures of the West Bank and Gaza, contributed to further delays in the peace talks. Political violence, perpetrated by Palestinian militants, had motivated these Israeli moves. However, by the summer of 1995 anti-Israeli violence had subsided after Arafat managed to get the militants to agree to temporarily suspend armed resistance against Israelis, and the Rabin government deemed the Palestinian security performance to be sufficient to justify further transfer of territory to the PA.¹⁰⁷ An important breakthrough was reached when *The Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip* (also labelled “Oslo II” or the “Taba Agreement”) was signed in Washington on 28 September 1995.

3.5.1 Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip, 28 September 1995.

The Interim Agreement superseded the previously signed agreements for the interim period, yet it upheld principles laid down in previous agreements. **The Interim Agreement extended the Palestinian self-rule to six major cities on the West Bank: Ramallah,**

¹⁰³ “The Gaza Jericho Agreement – Annex I: Protocol Concerning Withdrawal of Israeli Military Forces and Security Arrangements”, Article IV.2.

¹⁰⁴ “The Agreement on the Gaza Strip and the Jericho Area”, Article XXI (“Temporary International Presence”).

¹⁰⁵ See Chapter 5 for more details on negotiations on the TIP mission.

¹⁰⁶ Though not explicitly forbidden in the Oslo Accord, the settlements were widely condemned by the international community, including several UN GA resolutions, because they pre-empted the final status talks.

¹⁰⁷ Makovsky (1996), p.151.

Betlehem, Jenin, Tulkarm, Nablus and Hebron, although the latter was divided into an Israeli controlled and a Palestinian controlled part. Moreover, Palestinian civilian authority and “responsibility for public order” was extended to an additional area, comprising some 440 villages of the West Bank, inhabited by 68 per cent of the Palestinian population and occupying 23 per cent of the West Bank territory. **Thus, the greater part of the Palestinian population in the Occupied Territories came under the Palestinian Authority's civilian authority and almost 20% under ‘full’ Palestinian Self-Rule.**

The Interim Agreement outlined the details for the Palestinian elections which were held in January 1996 after the Israeli withdrawal from five of the six West Bank towns mentioned in the Accord. In addition, the Agreement included a deadline (18 months after the inauguration of the elected Council) for “further Israeli redeployments to specified military locations” and transfer of jurisdiction to the PA of the rest of the West Bank, but again, this was contingent on “the assumption of responsibility for public order and internal security by the Palestinian police”.¹⁰⁸ With the implementation of the Interim Agreement, the Palestinian–Israeli security co-operation emerged as an increasingly important centre of gravity in the peace process, mainly because it created an intricate patchwork of zones of control and jurisdiction which required close co-ordination and co-operation between the parties in order to work. The Interim Agreement defined three territorial categories of the West Bank area to be transferred to the Palestinian Authority.¹⁰⁹ *Area A*, would come under “full” PA jurisdiction prior to the elections. In *area B* the PA would assume “all civil powers and responsibilities”. Furthermore, Israel “shall have overriding responsibility for security” while the PA shall “assume responsibility for public order for Palestinians”. This meant that the Palestinian police would be allowed to “operate freely in populated places where police stations and posts are located”, while any movement outside populated areas must be coordinated with Israel. In *area C*, the PA would assume “civilian powers and responsibilities not relating to territory” during “the first phase of redeployment”, i.e. some six months after the elections. While areas A and B were well-defined, area C remained a largely undefined West Bank territory lying beyond the Palestinian Self-Rule areas A and B, and outside “settlements” and “military locations”. The extent of this territory was subject to further negotiations. The Agreement stipulated that “power and responsibility relating to territory will be transferred gradually to Palestinian jurisdiction that will cover West Bank and Gaza Strip territory.” The Agreement also committed Israel to transfer “internal security responsibility to the Palestinian police in area B and C [...] to be completed 18 months after the inauguration of the Council” i.e. the elections. As of the time of writing, the parties have implemented only the first stage of the “further redeployment”, bringing the area A up to less than 10% of the West Bank territory.

¹⁰⁸ “Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip”, Article X.2.

¹⁰⁹ “Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip”, Article X.2 and XIII.2.

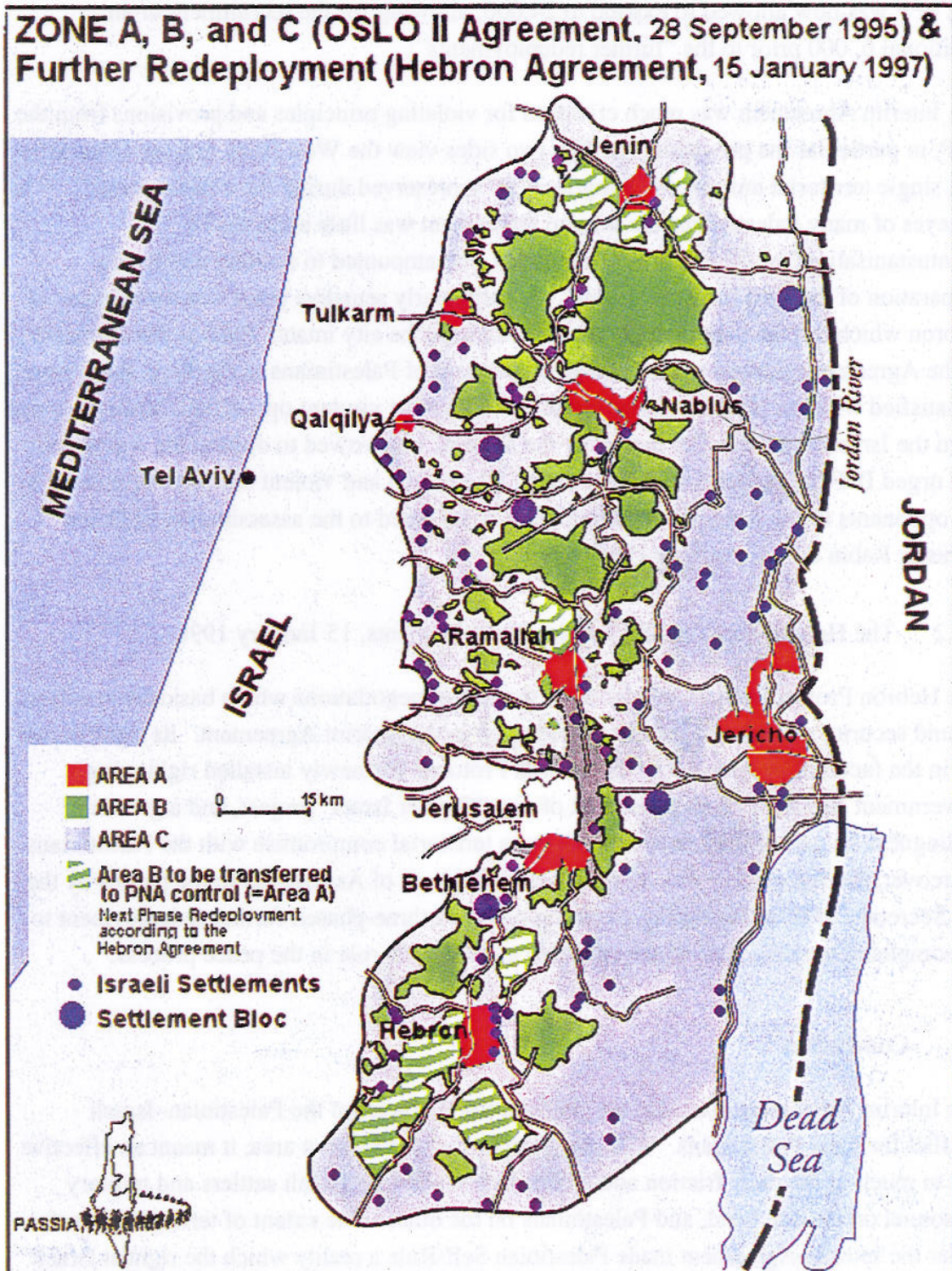


Figure 1: *Palestinian Self-Rule on the West Bank*

The Agreement provided for a greatly expanded security co-operation structure for the West Bank, similar to the mechanisms adopted in the Gaza–Jericho Agreement. This required an much larger Palestinian police force than provided for in previous agreements. The PPF was now allowed to expand to 24,000, allowing for the recruitment of an additional 6, 000 prior to the “further redeployments”.

The Interim Agreement was much criticised for violating principles and provisions from the DoP, in particular the provision that “the two sides view the West Bank and the Gaza Strip as a single territorial unit, whose integrity will be preserved during the interim period”.¹¹⁰ In the eyes of many Palestinians, the Interim Agreement was little more than a “bantustanisation” of the Occupied Territories, and amounted to nothing less than a “separation of the land from the people”. A particularly sensitive point was the division of Hebron which left the hated Jewish settlement inside the city intact. Polls in the aftermath of the Agreement showed that over than 60 per cent of Palestinians in the West Bank were dissatisfied with the “Hebron compromise”.¹¹¹ The most virulent opposition, however, came from the Israeli right wing, in particular the settlers, who vowed to oppose the Agreement and urged IDF conscripts to disobey orders. The heated and violent atmosphere created by the opponents to the Agreement undoubtedly contributed to the assassination of Prime Minister Rabin on 4 November 1995.

3.5.2 The Hebron Protocol and Further Redeployments, 15 January 1998

The Hebron Protocol was concluded after months of negotiations which basically revolved around security procedures already agreed upon in the Interim Agreement. Its significance lay in the fact that by concluding the Hebron Protocol, the newly installed right-wing Government signalled its abandonment of any “Greater Israel” project, and a greater willingness on part of the Likud to work out a territorial compromise with the Palestinians. Moreover, the Agreement was accompanied by Letters of Assurances to the parties by the US Secretary of State (including a commitment to a three-phased further redeployment to be completed at mid-1998) which signalled a greater US role in the peace process.

3.6 Conclusion

The Interim Agreement considerably changed the character of the Palestinian–Israeli conflict for most Palestinians. With the exception of the Hebron area, it meant an effective end to much of the daily friction and confrontation between Israeli settlers and military personnel on the one hand, and Palestinians on the other. The extent of territorial transfer under the Interim Agreement made Palestinian Self-Rule a reality which the rightist Israeli government had to deal with. Despite a temporary breakdown in security co-operation in

¹¹⁰ “Declaration of Principles”, Article IV.

¹¹¹ Graham Usher, “The Taba Agreement – peace or defeat?”, *Middle East International*, 6 October 1995, pp.3–5.

September 1996, Israeli territorial transfers to the Palestinians have so far proven irreversible.

The Oslo Accords are fundamentally bilaterally structured, with co-operation on security matters one of the cornerstones. They leave **little room for the direct assumption of security tasks by third-party actors**, such as a peacekeeping force. Yet, the crucial role of security co-operation and the enhanced role of the Palestinian Police Force (PPF) as a key party in the security co-ordination mechanisms, have directed third-party attention towards indirect security assistance, such as various forms of police assistance programmes to enable the PPF to fulfil its functions according to the Peace Accords. The patterns of security co-ordination outlined in the Peace Accords arguably force the parties to tackle security challenges themselves. This provides in many ways an alternative model to the traditional interpositionary peacekeeping model, for tackling the security dilemmas inherent in post-conflict societies, and should be furthered explored by military planners for peace support operations.

The imbalance in power between the parties has meant that the Peace Accords **impose heavy security obligations upon the Palestinian authorities**, with Israel as a self-styled judge of the Palestinian security performance. This makes the PA extremely dependent upon further Israeli concessions to justify its heavy-handed actions to “protect the Israeli occupation”. It exposes the PA to the danger of posing as Israeli client militia, if the peace process should slow down. In the same vein, the heavy reliance upon “Palestinian security performance” increases the detrimental effect of terrorist attacks, as they are seen by Israelis as results of the PA's security failure, and implicitly, the failure of the fundamental assumption of the entire peace process. In this context there remains not much that third-party actors can do, other than offering indirect security assistance, designed to enable the parties to fulfil their obligations under the Agreements.

4 THIRD PARTIES AS PROVIDERS OF SECURITY ASSISTANCE: ACTORS AND THEIR INTERESTS

4.1 The United Nations Agencies

Despite its long-standing concern with the Palestinian issue, the United Nations did not become the main actor in supporting the implementation of the accords by channelling peace-building assistance. Initially, the United Nations was not even given any responsibility in the Ad Hoc Liaison Committee (AHLC), the main policy-making co-ordinating mechanism for international aid to the Palestinians throughout the peace process. After a compromise negotiated by Norway, the UN has now become an associated member of the AHLC. Still, it was the World Bank, and not the UN agencies already present in Gaza, that assumed the main co-ordinating role in donor efforts in 1993. The reason for the initially marginal UN role was Israel's desire to keep the organisation out because it saw the

UN as biased in favour of the Palestinians. Israel's hostility and suspicion towards the United Nations go far back, and are rooted in the UN's political involvement to defend the Palestinians. This cause has thus made the world organisation appear less impartial in the eyes of the Israelis.¹¹² Due to Israeli restrictions the only UN development agencies in Gaza prior to the peace agreement were the United Nations Relief and Works Agency (UNRWA), which had been operating since the beginning of the Palestinian Diaspora in the late 1940s, and United Nations Development Programme (UNDP), active in the Occupied Territories since 1985. As of October 1996, however, more than 20 different UN organisations had ongoing activities in the Occupied Territories. The UNRWA and UNDP were still the two major UN organisations involved, however. The UNRWA is the largest multilateral organisation by far, with more than 5,000 employees in Gaza alone, and has been described as "a state-like organisation" in Gaza, where more than 50% of the population have refugee status.¹¹³ UNRWA's major activities are in education, health and social services.

The limited scope for a third-party role in security matters in the Oslo peace process has, ironically, led to the involvement in security assistance by UN agencies not usually associated with that type of international assistance. In the wake of the DoP, the UNRWA started a Peace Implementation Programme aimed at improving infrastructure and creating jobs for Palestinians. UNRWA's most specific security assistance contribution was the establishment of a much-needed United Nations funding mechanism through UNRWA for international aid to police-force salaries throughout the latter part of 1994 and 1995 (Chapter 6). In addition, the UN "emergency employment programmes" operated by UNRWA and UNDP have been deemed important from a security perspective, as they serve to absorb social discontent at vulnerable points during the peace process.¹¹⁴ One clear advantage of UNRWA's wide-ranging local infrastructure is its immediate implementation capacity for development projects, in particular its ability to start employment programmes at very short notice. This capacity has assumed great importance during the peace process because of the frequent prolonged periods of closures of the Territories.¹¹⁵

After the conclusion of the Gaza-Jericho Agreement, the United Nations was allowed to assume a larger role in development efforts in areas under the Palestinian Authority. As a consequence, the UN Secretary-General appointed a United Nations Special Co-ordinator to the Occupied Territories to be based in Gaza. His office, UNSCO, established formally

¹¹² An often cited example of the UN's pro-PLO bias is the UN General Assembly Resolution adopted in 1974 which denounced Zionism as a form of racism (repealed in 1991).

¹¹³ Laugen and Tangen (1997), p.6

¹¹⁴ Following the prolonged closures from February to September 1996, the United Nations emergency employment programmes employed an average of 4,500 persons per month, while the donor-funded emergency employment programmes directly employed an average of about 13,400 persons per month in the same period, roughly one-fifth of the workers who lost their jobs during the closures. See UNSCO (1996).

¹¹⁵ For details on the effects of the closure, see the World Bank's and UNSCO's reports on the Palestinian economy.

in June 1994, became an important focus for the international aid process as it assumed responsibility for co-ordinating assistance to the Palestinians. Through the establishment of the Local Aid Co-ordination Committee (LACC) (see Chapter 6) the United Nations was able to assume an important role in co-ordination of donor efforts in the Occupied Territories. In the latter half of 1994 it also began co-ordinating training programmes for the Palestinian police and employed a police advisor to monitor and co-ordinate international education programmes for police officers.

4.2 The World Bank

The World Bank had in 1993 not yet started its aid operations, but it quickly assumed a pivotal role in donor efforts by setting the policy and investment framework for the Territories in a six-volume study and other preparatory work on an emergency assistance programme for the Occupied Territories. The vast resources at the disposal of the World Bank made it in many ways better equipped to handle the capital-intensive reconstruction operations required in post-conflict situations than a fragmented and poorly resourced United Nations.¹¹⁶ The World Bank was also designated as a “lead agency” due to its perceived neutrality in the Arab–Israeli conflict, as opposed to the United Nations. The World Bank served as secretariat for the *Ad Hoc Liaison Committee*, thereby supplying regular information and analyses on aid flows and requirements to all parties. The World Bank also chaired the meetings of the Consultative Group, another major co-ordinating forum for the donor community.¹¹⁷ The greatest obstacles were the Bank’s lack of implementation capacity, especially as it had to deal with a non-state actor. The World Bank had to establish its own local implementing agency, the Palestinian Economic Council for Development and Reconstruction (PECDAR), which acted as the Palestinian Authorities’ interface with the donor community. As a result, for the first year only a minor part of the World Bank’s projects were being implemented, and by July 1996 both the UNRWA and UNDP had been able to disburse more funds than the World Bank.¹¹⁸ By mid-1996 the World Bank accounted for perhaps a quarter of all post-Oslo donor assistance to the West Bank and Gaza. The World Bank was thus long seen as non-responsive and slow to react to the urgent needs of supporting the ongoing political process between the PLO and Israel.

In all this, **the World Bank’s involvement in Gaza and the West Bank was unusual and departed significantly from the World Bank’s traditional role elsewhere.** Through the recent experience in the West Bank and Gaza, Bosnia and other conflict areas, the World Bank policy orientation has moved towards **allowing a greater emphasis on post-conflict reconstruction**, including areas such as the financing of rehabilitation programmes for

¹¹⁶ Laugen and Tangen (1997), p.5.

¹¹⁷ Rex Brynen (1996)

¹¹⁸ For example, while the World Bank received considerably more resources than the UNDP, by mid-1996, it had been able to disburse only 60% of the UNDP disbursement. See Laugen and Tangen (1997), p.8

former combatants, reintegration of refugees, and demining programs.¹¹⁹ The World Bank's funding of employment generation programmes in the Self Ruled areas must be seen in this context. The World Bank's handling of the Holst Peace Trust Fund which covered the deficit of the Palestinian Authorities' budget was particularly controversial in view of the World Bank's traditional focus, especially since a large part of PA's budget went to the police and security apparatus. The World Bank refused, however, to provide a direct funding mechanism for international assistance to salaries to the Palestinian Police Force.

4.3 "Friends of the Peace Process": The United States, The European Union, and Norway

The United States has been the single most important external actor in the Middle East peace process. Its current large-scale financial and military assistance packages to Israel date back to the 1970s, in particular, to the US-brokered Sinai II in 1975 and the Camp David Accord in 1978. In the wake of the Oslo Peace Accords, the USA has continued its policy of rewarding Israel for moving towards peace, while carefully avoiding to punish Israel for failure in doing so. The US security assistance has targeted specific Israeli security needs in the peace process, such as a US\$100 million anti-terrorist equipment package delivered to Israel following a spate of Hamas suicide attacks in February–March 1996, and the formation of a joint US–Israeli committee for combating terrorism.

The Oslo Accords have paved the way for US assistance to address Palestinian security needs, albeit on a much lower scale than US security assistance to Israel. The United States has contributed to the establishment of the Palestinian Police Force by donating various kinds of police equipment and other gifts-in-kind during the early deployment phase of the police in May–June 1994. Moreover, the USA has provided exclusive training programmes for some of the Palestinian security apparatus, in particular to Arafat's *Presidential Guards* and *The Preventive Security Service*. The USA possesses vast resources and experience in the field of police assistance programmes.¹²⁰ However, compared to the considerable security assistance given to Egypt in the aftermath of the Camp David peace accords, US security assistance to the Palestinians has been small.

The United States has not been heavily involved in donor efforts to reimburse Palestinian police salaries during the difficult transition period following the Gaza–Jericho Agreement in May 1994, nor have the Americans figured prominently in the overall aid programmes to the Palestinian people. There are several reasons for the relatively limited US "security assistance" to the Palestinians. First and foremost, it must be seen as a consequence of the dominant influence of the pro-Israeli lobby in the US Congress, where any "aid to the PLO"

¹¹⁹ The World Bank (1997).

¹²⁰ See for example Marenin (1986), pp.509–544 and Oakley et al. (1997).

is viewed with suspicion.¹²¹ **The security of Israel has been the overriding objective for US policy in the Middle East, in addition to securing access to Middle East oil resources and containing Iraq and radical Islamism, in particular the Islamic Republic of Iran. To achieve these apparently contradictory objectives the United States is anxious to reduce Arab–Israeli tensions, and preserve its regional hegemony in the Middle East.** Assistance to the Palestinian police in the wake of the Oslo Accords was motivated by the desire to enhance the security of Israel during the peace process and ensure the ability of the Palestinian Authority to control the radical opposition to the peace accords.

On the other hand, the peace accords had not been brokered by the USA and were not a product of US diplomacy. As opposed to the case of the Camp David accords, the United States had not committed itself to a strong third-party role in the form of delivering security assistance, and securing the compliance of the parties to a “peace implementation regime” defined by the peace accords. Throughout the early stages of the peace process, the United States thus placed itself close to the Israeli interpretation of the peace accords on many occasions, and refused Palestinian requests that the USA “play the role of diplomatic maestro in interpreting the accord”.¹²² The USA has gradually assumed a stronger interest in ensuring the success of the peace process, however, especially as recurring crises in the Gulf have exposed the US needs for Arab allies in the region. This has led to an augmented US role as a third party in the peace process. Manifestations of the increasing US role in security assistance are the US training and equipment programmes to the Palestinian security forces and CIA officials acting as “referees” or third parties in the Palestinian–Israeli security co-ordination mechanisms, a role not foreseen in the Oslo Accords.

Since the Madrid Peace Conference in 1991 the United States has sought to keep the Europeans involved in the peace process, through inviting extraregional parties with financial resources to share the burden of funding regional projects as a basis of co-operative Arab–Israeli relations, as well as humanitarian aid to counteract opposition to a peace accords. Yet although Washington has sought to involve the Europeans, it has also been anxious not to jeopardise its predominant role as the region’s mediator between Israel and the Arab states.¹²³

¹²¹ US law prohibit and limit US aid to the PLO. In order to permit the US government to extend economic assistance to the Palestinians, a Middle East Peace Facilitation Act was passed by the Congress in 1993, authorising the President to waive sections of US law, restricting US/PLO contact. However, it requires that the President certify to the Congress that the PLO is meeting specific conditions (renouncing terrorism, acceptance of UN SC Res 242 and the right of Israel to exist etc.). Since 1994, semi-annual reports have been submitted to Congress to this end, and portions of US funds committed to the PA through the Holst Fund (see Chapter 6) have been held up by Congress.

¹²² *The New York Times*, 11 December 1993, p.6.

¹²³ Kaye (1997), p.172.

The European Union's extensive involvement in the Palestinian–Israeli peace process was motivated by the desire to play a more important role in the Middle East and the Mediterranean area. The large aid programme for the Palestinians was a part of the European Union's policies of establishing itself as a major actor in the region. The EU's turn towards the Mediterranean region predated the Oslo Accords. At the 1992 Lisbon European Council Summit, its member-countries agreed that: "The southern and eastern shores of the Mediterranean as well as the Middle East are geographical areas in relation to which the Union has strong interests both in terms of security and social stability". Two years later, at the December 1994 Summit in Essen, the Council stated that "[p]eace, stability and prosperity in the [Mediterranean] region are amongst the highest priorities of Europe".¹²⁴ As a tangible manifestation of the EU's greater attention towards the Mediterranean region, the European Council Summit approved a proposal to create a European–Mediterranean Economic Area by 2010, initiating what has been come to be known as the Barcelona process. Various factors underlay this shift towards the Mediterranean and the Middle East: a greatly diminished threat from Eastern Europe, increasing European dependence on gas and oil from North Africa and the Middle East, and fears of a stream of boat refugees from the impoverished South. Furthermore, the rise of "Islamic fundamentalism" in the region has been portrayed as a threat to European security. An Arab–Israeli peace settlement is believed to undermine the attraction of radical Islam, and political stability in the Mediterranean is seen as a function of not only economic development, but also progress in the Middle East peace process.¹²⁵ Perhaps more importantly, the European integration process and creation of a Common Foreign and Security Policy would receive a strong impetus if the EU could show a high profile and successful foreign-policy involvement in the Middle East peace process. The EU has assumed, perhaps erroneously, that a strong economic role in the Middle East peace process could easily translate into a significant political role in a region dominated by the United States. The EU's ambitions for a greater role in the peace process have manifested themselves in many areas: The EU alone has contributed during 1993–1998 with nearly \$ 2 billion, over half of the total of international assistance provided to the Palestinians during that period.¹²⁶ The EU appointed a Special Envoy to the Occupied Territories in 1996; and it has proposed a role in security for itself on various occasion, for example in September 1997 it insisted on the adoption of a "code of conduct" by the two sides, with the focus on ending all unilateral acts, and on the creation of an Israeli–Palestinian "Permanent Security Committee", with US and EU participation, to ensure "joint crisis management".¹²⁷ The EU has also launched various security and counter-terrorism assistance packages to the Palestinian Authority, believing this would increase its own political role. These moves have been unsuccessful so far. Complaints have been heard throughout the Oslo process

¹²⁴ Aghrout and Alexander (1997), pp.308–309.

¹²⁵ Moya (1995).

¹²⁶ Derek Fatchett, "How the EU can work with Israel to help the Palestinians", *Biladi: The Jerusalem Times*, 6 February 1997, p.5.

¹²⁷ Shada Islam, "Seeking extra EU cash", *Middle East International*, 12 September 1997, p.10.

that an expanded political role for the EU was being blocked by Israel, supported by the United States.¹²⁸ As a result, the relationship between the United States and the European Union in the Middle East peace process has often been “uneasy”, marked by competition and rivalries.¹²⁹

Ambitions for a greater European role have nowhere been more manifest than in France’s policy towards the Middle East peace process. France has offered to co-sponsor the Mideast peace process on several occasions, most conspicuously during an official visit by President Chirac to the region in October 1996, a move which rankled US diplomats, who viewed this and earlier French offers to get involved in the peace negotiations as muddying the waters in a region where the US has long been the dominant foreign partner. Since his election in 1995, President Chirac has aimed to restore France’s stature in the Arab world. Proposals for an enhanced French and European role have been rebuffed by the rightist Israeli government of Netanyahu. Palestinian officials have welcomed words of support from the French president, but have also criticised France for not backing up its words with more economic support.¹³⁰ The European Union has criticised Israel in strongly worded statements on several occasions, and EU–Israeli relations have been very chilly indeed. The EU has thus been unable to pose as an impartial arbitrator.

Norway’s prominent role in the peace process was not a result of the country’s historical or economic ties to the parties to the Arab–Israeli conflict. According to the Norwegian Mideast specialist Butenschon, Norway has only “weakly developed economic, political and cultural relations with the Middle Eastern region”.¹³¹ However, the Palestinian–Israeli conflict has always figured prominently on the agenda of the Norwegian Foreign Ministry, because it was a moral and emotional issue for large sections of the population and a central international issue involving the great powers. Furthermore, the introduction of the “extended security concept” at the end of the Cold War meant that peacemaking in other and even more remote parts of the world now made more sense. Norway’s key role in the peace process was not wholly coincidental. In the course of the 1980s and the early 1990s Norway had developed close relations with *both* the Israeli and Palestinian sides, especially through the trade unions, and emerged as a neutral facilitator enjoying a high degree of confidence and trust among the Palestinians and the Israeli Labour government.¹³² While this partly explains Norway’s crucial role in the pre-agreement period, several other circumstances contributed to sustain Norway’s privileged role in the subsequent implementation phase. One factor was Norway’s perceived ability to balance between the two main rivals, the USA and the European Union. This accounted for its leading role in a

¹²⁸ A European diplomat was quoted as saying: “The US gives \$20 million a year to the Palestinians, Europe gives \$500 million. Europeans won’t continue to pay without a political role as well.” See Gail Russell Chaddock, “French or Foe?”, *Christian Science Monitor*, 24 October 1996.

¹²⁹ Interview with EU diplomats.

¹³⁰ Gail Russell Chaddock, “French or Foe?”, *Christian Science Monitor*, 24 October 1996.

¹³¹ For Norway’s foreign policy towards the region, see Butenschon (1997).

¹³² *Ibid.*

number of co-ordination bodies established to channel aid to the Palestinians. The chairmanship of the *Ad Hoc Liaison Committee* was for example granted to Norway after a tug-of-war between the United States and the European Union.¹³³ Another main factor was Norway's own decision to capitalise on its perhaps greatest diplomatic success in recent history and maintain its high profile in the Palestinian–Israeli peace process. Supporting the implementation of the Oslo Accords, in particular the establishment of a Palestinian self-rule authority in the Occupied Territories, became a key target for the Norwegian Foreign Ministry, and Norway emerged as one of the largest donors to Palestinian self-rule. In terms of security assistance, Norway played a key role in the establishment of the Palestinian Police Force (PPF) in the period of 1993–1995, not only by providing senior police experts and advisors to the PPF, and through its chairmanship of the co-ordinating mechanisms set up to deal with the assistance to the PPF, but also by substantial financial and in-kind assistance. Yet another manifestation of Norway's security contributions to the implementation of the accords was its leading role in establishing and leading the international observer missions (TIPH) to the West Bank city of Hebron in 1994 and from 1996 onwards.

4.4 Donor Countries and Individual States

A variety of interests motivated a wide range of individual donor countries to extend assistance to support the Palestinian–Israeli peace process. The visibility of the Palestinian–Israeli conflict on the international arena was undoubtedly an important factor. The involvement of the great powers made the conflict an international issue of prime importance; moreover, the Palestinian issue invoked feelings of solidarity and sympathy which many governments could not ignore.

Studying the list of donor countries, it is interesting to note, however, the predominance of European countries and the absence of many Arab countries involved in assistance to the Palestinians. In the field of security assistance, an illustrative example is the list of donor countries contributing to cover salaries for the Palestinian Police Force (involving some \$39.3 million in October 1994–July 1995): The European Union (\$12.3 million); Saudi Arabia (\$7.5 million); Netherlands (\$6.9 million); Norway (\$4.9 million); United Kingdom (\$4.7 million); Sweden (\$1.07 million); Denmark (\$1.06 million); Japan (\$720,000); Greece (\$100,000).¹³⁴ Egypt and Jordan also made important contributions to the PPF by providing training courses for the Palestinian police officers before their departure for Gaza and Jericho in 1994. The predominance of European donors and the subordinate role played by the traditional benefactors of the PLO, such as Saudi Arabia, Iraq and the Gulf

¹³³ Norway was appointed to the chair of the committee because the USA and the EU blocked each other's candidatures, and Norway was chosen as a compromise, reportedly at the suggestion of Saudi Arabia. Interview.

¹³⁴ Palestinian Development Infonet, "Support for the Palestinian police force" at <http://arts.mcgill....pip/police/support.html>.

Countries, cannot be ascribed solely to lack of financial resources: political considerations played an important role. On the one hand, the PLO's peace settlement with Israel was strongly resisted by several Arab countries, such as Syria, Iraq, Libya and Sudan, from whom no assistance could be expected. On the other hand, the wealthy Gulf countries, especially Kuwait, had severed financial aid to the PLO after the PLO's ill-considered support for Iraq during the Gulf crisis. During the early post-Oslo period, Palestinian–Gulf Arab relations were still considerably strained, with the possible exception of Saudi Arabia. In sum, the position of the Arab countries might be a “lessons learned” for other peace implementation processes: neighbouring countries with strong historical, ethnic and linguistic ties to one of the parties, will often be unable or unwilling to extend substantial post conflict aid for various political reasons, despite having been large financial supporters to one of the parties to the conflict in the pre-agreement period.

4.5 Non-Governmental Organisations

In the field of security assistance, one cannot ignore the important role played by Palestinian, Israeli and international human rights organisations in directing attention towards the need for greater emphasis on respect for human rights and respect for the rule of law during the Oslo peace process. Important actors in this field are the Israeli Jerusalem-based *B'Tselem* (The Israeli Information Centre for Human Rights in the Occupied Territories), *Palestinian Human Rights Monitoring Group (PHRMG)* and *The LAW* (The Palestinian Society for the Protection for Human Rights & the Environment); the Gaza-based *Palestinian Centre for Human Rights*, and *Palestinian Independent Commission for Citizens' Rights* as well as international human rights organisations, in particular *Amnesty International*, and *Human Rights Watch*. They have all contributed greatly to focus media and policy-maker attention towards the need for greater human rights compliance both on the part of the Israeli Police and Defence Forces, and on the part of the Palestinian police and security apparatus. Reports by human rights organisations have to a certain degree influenced the extent and the character of international security assistance to the Palestinian Police Force, and have contributed heavily to greater emphasis on assistance to enhance “the rule of law” in the Palestinian-ruled areas by the donor community. **At the same time, the human rights agenda has often conflicted with a more immediate concern on the part of the donors to ensure the Palestinian Authority's capability to “fight terrorism”.**

4.6 Local Counterparts

In many post-conflict situations, third-party actors will have to deal with problems stemming from the absence of recipient institutions who can provide sufficient transparency and accountability for funds. This proved to be a major problem in the first years after Oslo. The lack of recipient institutions has been a recurrent theme and has delayed the speedy delivery of badly-needed assistance during the early stages of the process. The PLO

administration was unable to satisfy donor demands for accountability. For years, it had been accustomed to receiving funds from benefactors in the Arab world with little or no accountability for funds. Donors have been forced, therefore, to devise their own mechanisms to satisfy demands for accountability, such as the Holst Fund, devised to monitor direct budgetary support to the Palestinian Authority. Still, complaints have been heard among donors throughout the process that there is a lack of strategic planning on the part of the PA for delivery of aid aimed at promoting self-sufficiency, and that the PA is merely “waiting to be fed by the donors”.

After the arrival of the PA, local counterparts for the management of international assistance have included first and foremost the *Palestinian Ministry of Planning and International Co-operation (MOPIC)*. It has represented the Palestinians in the international co-ordination mechanism dealing with police assistance. On the local level, competition between various branches of the Palestinian police and security forces have been an obstacle. Control of donor flow is an essential tool of power, and it has created a tug-of-war between various agencies and ministries. With regard to the PPF, it has presented the donors with a confusing picture of “who was in charge” in the police and security forces. In addition, various branches of the Palestinian Police Force and its security and intelligence agencies have established their own direct links with donors outside the multilateral channels, thereby further decreasing the transparency of security assistance to the PPF. A Palestinian counterpart called Police Assistance Co-ordination Committee was established by the PPF in the autumn of 1996, but many branches still prefer to deal with the donors directly.

5 SECURITY TASKS AND TYPES OF SECURITY ASSISTANCE IN THE IMPLEMENTATION OF THE OSLO ACCORDS

5.1 Introduction

Although *security* stands out as perhaps the most central issue in the Palestinian–Israeli peace accords, there is only limited scope for a third-party role in providing or assisting directly in enhancing security. Security is by and large defined as a bilateral matter, excluding the involvement of outsider actors. The Accords stipulate that security tasks should be resolved by the parties themselves without resort to any third-party intervention. As a result of the central role of security and the absence of any mandate in the Peace Accords for a third-party security role, external actors have attempted to bolster the peace process through what we may term “indirect” security assistance, aimed at facilitating or assisting the parties in fulfilling their security obligations set forth in the peace accords.

An underlying assumption in our study is that a set of structural changes will have to take place in a post-agreement peace process to facilitate the long-term transition from war to

peace.¹³⁵ A second assumption is that several of these structural changes can be facilitated through international security assistance, or that security assistance can act as a catalyst in at least some of these processes. The point here is that in the absence of a strong direct international involvement in security tasks by for example peace-keeping forces, the international community may resort to other instruments in facilitating enhanced security in a peace process. In our Analytical Framework, we have suggested that security assistance must contribute first and foremost to a heightened sense of security in a post-conflict society, and must counteract the culture of violence that marks the post-conflict society.¹³⁶ **The following typology of security tasks in a post agreement peace process** is meant to illustrate a broad scope of post-agreement security tasks which, if they are addressed, will facilitate the long-term transition from war to peace.

Demilitarisation

- establishing and monitoring a ceasefire, including the establishment of buffer zone;
- the transfer of territory;
- the removal of foreign troops;
- disarmament, demobilisation, and reintegration of former combatants;
- the release and return of prisoners of war;
- negotiations on arms controls and regional security arrangements.

Law and Order

- security sector reform — the military, security forces, police, judiciary and the penal system;
- enhancing security co-operation between the parties;
- enhancing the parties' ability to curb political violence which undermines support for the peace process.

Other Tasks

- security for repatriated refugees and displaced persons;
- security during elections;
- de-mining and mine awareness programs.

Not all of these tasks are relevant in the Oslo Peace Process. What will be addressed here are (i) establishing and monitoring a ceasefire; (ii) the transfer of territory; (iii) disarmament, demobilisation, and reintegration of former combatants; (iv) security sector reform; (v) security co-operation between the parties; (vi) enhancing the parties' ability to curb rejectionist political violence; and (vii) arms control and regional security arrangements. In the following we will discuss how these tasks have been addressed by the international community in the Oslo Peace Process, and what roles various forms of international security assistance have played in fulfilling these tasks.

¹³⁵ Lia and Hansen in Hansen et al. (1997).

¹³⁶ *Ibid.*

5.2 Peace Without Ceasefire? From the Signing of the DoP to the Arrival of the Palestinian Authority

It is naturally more difficult to maintain a *ceasefire* in internal conflicts where the parties and their supporting constituencies are largely intermingled, than where there is a ceasefire arrangement along a clearly defined border. As a minimum, this requires that the parties are committed to maintaining the ceasefire and are prepared to work actively together in co-operation with some kind of monitoring and investigating mechanism.

The Oslo Accord involved a *ceasefire*, in the sense that the PLO vowed to refrain from violence and pledged to discipline violators of the ceasefire. This pledge was a prerequisite for the DoP and was included in the PLO letter recognising Israel. In an additional letter to Norwegian Foreign Minister Holst, PLO leader Arafat called on all Palestinians in the Occupied Territories to “reject violence and terrorism and return to ordinary life”, a pledge generally understood as an order to cease all military operations against Israeli targets, and in effect, calling off the *intifada*.¹³⁷ This declaration was very controversial, partly because the PLO abandoned its legitimate right to resist occupation, and partly because the PLO received a similar “ceasefire declaration” from Israel.¹³⁸

This underlined the conflicting conceptualisation among Israelis and Palestinians as to the nature of the conflict: a “legitimate war of resistance” versus “terrorism”. In practical terms, the Israeli viewpoint prevailed in the Oslo Accords, which contained only a unilateral ceasefire on the part of the PLO. Israel, on the other side, never understood the “ceasefire” as an Israeli pledge to refrain from using military means in “fighting terrorism” or in ensuring security for Israelis throughout the Occupied Territories. This became obvious only one day after PLO leader Arafat’s announcement of ceasefire. On 26 September 1993 the IDF launched an operation in Gaza during which two Hamas activists were summarily executed, some 17 houses were destroyed, and 16 persons arrested. Further actions on the part of the Israeli military followed, with subsequent counter-violence from Palestinian groups. The absence of “peace” was particularly glaring in Gaza. There was a more or less continuous eruption of violence throughout the Territories from September to December 1993,¹³⁹ and this wave of violence escalated throughout the first half of 1994. In April 1994 the renowned Israeli human rights organisation *B’Tselem* reported “a huge growth in

¹³⁷ “Letter to Foreign Minister Holst”, *JMCC* (1994a), p.29.

¹³⁸ In the letters of mutual recognition, Israel merely recognised the PLO as the sole legitimate representative of the Palestinian people, and Israel’s partner in the negotiating process. As opposed to the PLO, Israel did not renounce terrorism. See “Letter to Chairman Arafat”, *JMCC* (1994a), p.28

¹³⁹ Between 13 September and 30 December 1993 more than 30 Palestinians from the Gaza Strip were killed by Israeli forces and over 1100 Palestinians injured. 20 Israeli settlers and soldiers were also killed by armed Palestinians. Armed Palestinian groups involved in these attacks included the military wing of Hamas ‘Izz al-Din Qassam Brigades’, the Islamic Jihad ‘al-Aqsa Squads’, the Islamic Jihad ‘Shiqaqi group’, and the ‘Red Eagles’ of the PFLP. See Roy (1994) p.95 and Information Division/Israeli Foreign Ministry, “Fatal Terrorist Attacks in Israel since the Signing of the Declaration of Principles” (September 1997).

security force killings”; more Palestinians had been killed by Israeli soldiers during February–March 1994 than the preceding six months. As late as April 1994, some 7 months after the signing of the peace accord, Israeli military sources were quoted as saying “soldiers have orders to shoot to kill anyone carrying a weapon. You don’t fire warning shots in a combat situation. All Gaza in a combat situation, all the time.”¹⁴⁰

True, there were attempts to make a ceasefire work. Upon Arafat’s order most of the local Fatah squads agreed to cease military actions against Israelis, although some local groups remained active.¹⁴¹ This inaugurated the beginning of a security co-operation arrangement which subsequently has become a cornerstone in the Oslo Process. The fact that Fatah Hawks began to “co-ordinate” its activities with the IDF earned them the opprobrium of militants Palestinian groups, and even some of the radicals in the Fatah Hawks. The IDF, on their part, pledged a general amnesty for all wanted persons who gave themselves up to the military authorities. This amnesty proved to be of limited effect, for several reasons. First of all, Palestinians belonging to underground armed groups would not risk their future on the goodwill of the occupation power. Second, the amnesty included only the pro-peace camp, while wanted persons from among the Palestinian rejectionist movements would stay wanted. The message was clear: Israel made peace only with Fatah, not with the Hamas, the PFLP, the DFLP, or other factions not following Arafat’ course.

Thus, the underlying problem with the *ceasefire* was that Israel made peace only with one faction of the Palestinian political spectrum. In most peace processes, there will be rejectionists, a phenomenon that Steven Stedman has termed “spoiler problems in peace processes”, intent on opposing the peace accords with violent means.¹⁴² In this regard, the Oslo Process was no exception. What made the ceasefire very vulnerable to rejectionist violence in the Oslo Process was the fact that those Israeli civilians who lived in most immediate contact with the Palestinians under occupation were the Israeli settlers, many of whom would enter as “total spoilers” in Stedman’s terminology. The settler movements severely condemned the Oslo Accord and the “ceasefire” with the PLO, and vowed that they would not hesitate to shoot at Palestinian policemen when they arrived in the Territories. Although this did not happen, a wave of settler violence swept the Territories after the solemn signing ceremony in Washington. Post-Oslo settler violence culminated in the massacre in the Ibrahimi Mosque in Hebron in February 1994, where 29 Palestinian worshippers were slain and hundreds wounded by a Kach Chai extremist. This unleashed the very first spate of suicide attacks inside Israel proper by the armed wing of the Hamas movement, a move which made the Islamic militants one of the major rejectionist actors in the subsequent peace process.

¹⁴⁰ Lara Marlowe and Jamil Hamad “Peace Postponed: As Violence Escalates, Israeli Forces Prepare to Redeploy, but P.L.O. Police are yet to be Seen in Gaza”, *TIME Domestic*, 143 (16) (18 April 1994).

¹⁴¹ Usher 1995, p.16. See also Be’er and Abdel-Jawad (1994), p.170.

¹⁴² Stedman (1997)..

On-the-ground attempts at maintaining a ceasefire through the understanding reached between the Fatah Hawks and the IDF had failed to reduce the level of violence. To the contrary, the conflict had in fact escalated and more lethal forms of warfare (suicide operations and mass murder of non-combatants) had been introduced. This development undoubtedly weakened the psychological impact of the signing of the Peace Accords in September 1993. Most destructive was probably the fact that for nearly eight months after the signing of the Oslo Accords, there was very little tangible evidence on the ground to demonstrate that in fact the “war had ended”. The Israeli occupation was still there, and this lack of tangible changes inhibited the important psychological transition from war to peace. It is evident that ***the notion of a ceasefire never became internalised and accepted by most Palestinians during the first years of the post-Oslo period.*** Polls as late as in the summer of 1995 showed that while only 18.3% condoned armed attacks against Israeli civilians, more than 67% supported armed attacks against Israeli military targets and more than 69% supported armed operations against Israeli settlers.¹⁴³

As long as *both* parties did not commit themselves to a general ceasefire, supervised by a third party, it was perhaps inevitable that the circle of violence and counter-violence would continue as before. The DoP contained provisions for *an international third-party presence*, but the parties were unable to agree upon any sort of international supervision of ceasefire arrangements. Perhaps an international monitoring of the ceasefire, including investigations of ceasefire violations, would have allowed conceptual and psychological changes to take place, and would have signalled clearly to the parties’ constituencies that “the war was over”.

In sum, **the psychological impact of the signing of the Peace Accords in September 1993 was severely undermined by the continuation of violent clashes throughout the Occupied Territories**, and an unprecedented escalation of the conflict into mass murder of Palestinian civilians in Hebron and subsequent lethal suicide attacks against Israeli civilians. **Without any workable ceasefire arrangements and third-party supervision, peace was effectively postponed for eight months** until the Palestinian Authority arrived in May 1994. This illustrated the vulnerability of a peace accord in an internal conflict when there is no legitimate third-party role in supporting the ceasefire.

5.3 Transfer of Territory: The Role of the TIPH Observer Forces

The *transfer of territory* was a fundamental part of the Oslo Peace Accords, whose basis rested on the principle of land for peace established by the UN Security Council resolutions 242 and 338. In principle the parties had agreed that during the interim period an Israeli

¹⁴³ Some 32.4% of Palestinians in the Occupied Territories “supported continued Hamas and Islamic Jihad suicide operations against Israeli targets”, and more than 42 % thought that “armed resistance against Israel is legitimate under the current political situation”. See CPRS, “Results of Public Opinion Poll #19” (August–September 1995) and JMCC, “Public Opinion Poll No.7” (June 1995).

military redeployment and gradual transfer of territory to Palestinian jurisdiction in the West Bank and Gaza Strip should take place, except for “settlements” and “military locations”.¹⁴⁴ From a Palestinian perspective, the transfer of territory was undoubtedly the most important confidence-building measure. This had a considerable effect on Palestinian opinion on the peace process. There was a significant shift in Palestinian public opinion on the Rabin government and the peace process after Israel re-deployed from the West Bank cities, following the *Interim Agreement* in the autumn of 1995. Conversely, the long delay in transfer of territory in 1993–1994 produced disenchantment and increased opposition to the peace process. From an Israeli perspective, the end of anti-Israeli violence was the primary criterion of success. Thus, the issues of transfer of territory and an end to anti-Israeli “terrorism” remained closely linked throughout the peace process. Measures taken to reduce the level of violence would have significant impact on the pace of transfer of territory.¹⁴⁵

While peace accords involving withdrawal from occupied territories often provide for an international observer body to monitor and verify the withdrawal, no such overall body has been envisaged for the Israeli withdrawals (“redeployments”) and the assumption of security functions by the Palestinian Police Force in the West Bank. The Palestinian side has reiterated its demands for an armed international peace-keeping force throughout the Occupied Territories, but the idea has foundered on a consistent Israeli refusal.¹⁴⁶

As a substitute for a peace-keeping force, an international observer force called *The Temporary International Presence in the City of Hebron*, or *TIPH*, has been deployed at the site of the worst confrontations between Israelis and Palestinians throughout most of the Oslo Process, namely in the city of Hebron on the West Bank. The first TIPH mission was deployed in Hebron in May–August 1994, and was unique in its character as an unarmed observer force mandated to monitor the human rights situation of a population under occupation. Although its mandate was mainly human rights monitoring, the Agreement on the TIPH in late March 1994 marked an important step towards implementation of the Gaza–Jericho Agreement in May June 1994, when Israel withdrew from most of the Gaza Strip and the Jericho Area. The TIPH in 1994 established a central precedent for international observers in the West Bank, signalling the loosening of Israel's grip on these Territories and a greater willingness to turn over territory to the Palestinians. This precedent set the terms for the deployment of another TIPH mission in the same area in May 1996, mandated to monitor *both* the human rights situation and the partial withdrawal (or “redeployment”) of the Israeli military in the Hebron area.

¹⁴⁴ Any transfer of territory during the interim phase was temporary, however, and Israel had in principle the right to claim the whole of the West Bank and Gaza Strip at the final status talks. See chapter 3

¹⁴⁵ For an analysis of international assistance to enhance the parties' ability to curb rejectionist violence, see subchapter 5.7.

¹⁴⁶ See for example *Palestine Report* 4 (29), 2 January 1998.

There has been a linkage between human rights monitoring and the transfer of territory in the Oslo Process in the sense that human rights monitoring has absorbed some of the frustration and has contributed to a lower level of unrest and riots. Violence has been kept at a level which allowed the parties to justify to their respective constituencies an implementation of the Accords, including the controversial transfer of territory. The TIPH's contribution, albeit small, lies in the absence of an escalating circle of violence and counter-violence in Hebron city which would have made it very difficult for the parties to implement their obligations on Hebron under the Agreement. For this reason, the TIPH experiment in 1994 and 1996–98 will be reviewed here.

5.3.1 Political Impact of the TIPH Observer Forces

The presence of international observers in the Occupied Territories is not an entirely new development, as it was preceded by UNRWA's "Passive Protection Programs", initiated at the onset of the *intifada*. This was essentially a low-profile protection programme which involved an increased unarmed international presence throughout the Occupied Territories. The programme was implemented as Israel, which rejected the PLO's demand for international peace-keeping forces, did accept the employment of several UN Refugee Affairs Officers operating in 20 uniformed mobile teams. These civilian UN servicemen and their Palestinian assistants patrolled areas where there was unrest, or were called in when there was a need for intervention. The teams intervened, together with the Israeli army and police forces, in cases of misconduct, arrest of minors, obstruction of humanitarian medical assistance, etc. The teams also reported on a daily basis about incidents to the UN, about the number of *intifada*-related deaths and injuries from clinics and hospitals, etc. This form of international presence has been adjudged a partial success, and has contributed to giving the civilian population an increased level of protection.¹⁴⁷

The background for the so-called *Temporary International Presence in the City of Hebron* (TIPH) was the Hebron massacre on 25 February 1994, when a Jewish settler opened fire on worshippers in the Hebron mosque and killed 29 Palestinians. In the immediate aftermath of the massacre, tens of Palestinians were killed in violent clashes between the IDF and rioting Palestinians. Negotiations between the parties were suspended, and the peace process was plunged into its worst crisis ever since the signing of the Oslo Accords. The PLO leadership refused to participate in any further peace talks with the Israelis until sufficient measures had been taken to ensure security for Palestinian Hebronites. The PLO demanded international armed protection and the dismantling of all "political" settlements including the Jewish enclaves in Hebron city. Prime Minister Rabin refused, but he finally agreed to the deployment of an international observer force, the TIPH, in Hebron city. This was far less than the Palestinians had wanted. PLO leader Arafat was finally induced to abandon his demands for armed peace-keepers and the removal of "political settlements"

¹⁴⁷ Oerum (1994), p.8.

and accept the TIPH: this happened after Israel agreed to sign a written pledge to speed up withdrawal in Gaza and Jericho, and the USA promised to not use its veto against UN Security Council resolution 904 which condemned the massacre in Hebron.¹⁴⁸ The acceptance of an international presence in Hebron was very controversial in Israel, which had not allowed foreign observers in the Occupied Territories since capturing those lands in the 1967 war. As David Makovsky has noted, “this was a step Israel has assiduously avoided since gaining control of the territories in 1967 – out of fear that even something as seemingly benign as the TIPH would set a precedent that ultimately lead to a UN trusteeship of the territories”.¹⁴⁹ When the Government of Israel finally accepted the TIPH, it justified it as “exceptional case” to woo the PLO back to the peace table.¹⁵⁰ The decision to allow TIPH deployment drew an immediate protest from Israel’s political right wing and from former Defence Minister Ariel Sharon, who argued that this unfortunate precedent of international observers “will undermine our grip on Jerusalem and our ability to hold other places”, while former Prime Minister Yitzhak Shamir saw the TIPH mission as a “mockery of the country’s independence and sovereignty”.¹⁵¹ The fact that the tiny observer force incurred such wrath among the foremost opponents of relinquishing the West Bank demonstrates that **the TIPH was seen as an important symbolic step in the process of transferring territory to the Palestinians.**

The issue of TIPH appears also to have been seen in terms of sovereignty among the Palestinian side as well, albeit to a lesser extent. The PLO leadership wanted a very large observer force (400 or more observers) in the city, far beyond the force requirement for the tiny area of observation in the city, and as many participating countries (preferably European) as possible in the observer force in order to create a situation which would make it difficult for Israel to oppose the extension of Palestinian self-rule to the city of Hebron. Moreover, the PLO put considerable emphasis on the right of the observer force to carry weapons for self-defence. Although the participating countries preferred to send unarmed observers, the PLO saw their right to carry arms as an important Israeli concession.¹⁵² Various proposals for an Arab or Palestinian police force in Hebron were being discussed at the same time.¹⁵³ The Israelis had reportedly offered the PLO leadership that a small

¹⁴⁸ The agreement on TIPH contained a pledge from the parties to resume negotiations on the Gaza–Jericho agreement in Cairo on the subsequent day, in an “accelerated” way, and Israel pledged “to shorten the withdrawal schedule and accelerate the withdrawal” from Gaza and Jericho, in addition to proceed to negotiations to “early empowerment negotiations” immediately after the conclusion of the Gaza–Jericho agreement”. See Israel Information Service Gopher/Information Division, “Agreement” (31 March 1994).

¹⁴⁹ Makovsky (1996), p.146.

¹⁵⁰ Prime Minister Rabin also justified the measure by saying that ‘Israel is paying the price’ because the killer (Goldstein) used an assault rifle provided by the Israeli Army while wearing an army uniform. “Talks resumed in the Mideast; Pact on Hebron”, *New York Times*, 1 April 1994, p.1

¹⁵¹ “Talks resumed in the Mideast; Pact on Hebron”, *New York Times*, 1 April 1994, p.1.

¹⁵² Interview with diplomats involved in the negotiations on the TIPH.

¹⁵³ One option discussed was to deploy Egyptian policemen in Hebron to provide protection for the Palestinian population, but Rabin rejected this. “PLO wanted Egyptian policemen in Hebron”, *Jerusalem Report*, 5 May 1994, p.5.

Palestinian police force be deployed in Hebron as “a symbol of Palestinian power”.¹⁵⁴ This offer was rejected by the PLO because Israel wanted to place these policemen under Israeli command. Serving under IDF officers would have undermined the Palestinian Police Force as a symbol of Palestinian sovereignty and statehood. The Palestinian leader Faisal al-Hussaini declared that “[w]e do not want to reinforce the occupation .. we are talking about an independent Palestinian police force, which is not related to Israel”.¹⁵⁵ The TIPH, on the other hand, would serve better as a symbol of Israel’s loosening grip on the West Bank city and of the process of transferring territory to the Palestinians.

In addition to its important symbolic role, **the agreement on TIPH provided the Palestinian leadership with a neat face-saving gesture, allowing the negotiations on early implementation to resume after the horrific events in Hebron.** The TIPH was designed mainly to bring the peace talks back on track, rather than dealing with practical security arrangements for Palestinian civilians in Hebron. To some extent, the TIPH mission had already fulfilled its mission, in the eyes of the parties, *before* its actual deployment. Yet, as we shall see, it is premature to assume that its presence in Hebron had no effect on the ground.

5.3.2 The Earliest TIPH Observer Force, May–August 1994

The Agreement on security arrangements in Hebron and the resumption of negotiations regarding the Gaza–Jericho Agreement, signed in Cairo on 31 March 1994 called for an international observer mission that would consist of 160 “field observers, office staff and support personnel” drawn from Norway, Denmark and Italy. The agreement explicitly stated that “the TIPH personnel would have no military or police functions”. Its tasks would be to:

- “provide by their presence a feeling of security” to the Palestinians of Hebron
- “help promote stability and... economic development”
- “to monitor the efforts to restore the safety of Palestinians and events affecting it and the return to normal life in the city of Hebron”
- to provide reports “on specific events... to a Joint Hebron Committee (JHC)” consisting of representatives of the parties (the Mayor of Hebron, and the head of the Israeli Civilian Administration in the District of Hebron), and attended by a TIPH representative on a bi-weekly basis
- to report periodically to the Joint Israeli–Palestinian Liaison Committee, and to the Chair of the Ad Hoc Liaison Committee of the Donors.¹⁵⁶

A TIPH advance team started preparations for the arrival of the mission early April, and the entire TIPH mission deployed for the first time on 8 May 1994, after a Memorandum of

¹⁵⁴ Interviews in Oslo and Tel Aviv.

¹⁵⁵ “An Independent Palestinian Police Force”, *Biladi: The Jerusalem Times*, 6 March 1994, p.1.

¹⁵⁶ Israel Information Service Gopher/Information Division, “Agreement” (31 March 1994).

Understanding had been reached between the participating countries, Denmark, Norway and Italy.

From the very start, the TIPH was troubled by its “weak” mandate, and unrealistic expectations on the part of the Palestinian population of what the TIPH could achieve in Hebron. The mandate was a result of tough negotiations in which Israel had vetoed anything but very limited powers to the observer force, leaving great uncertainties what the observer force was actually supposed to do, beyond a vague reference to observing the human rights situation. During the TIPH negotiations, Norway as the Lead Nation in the TIPH insisted on the inclusion of references to the Geneva Convention, the ICRC and the UN Declarations on Human Rights, but to no avail. The mandate included merely a reference to “internationally recognised human rights”. Israel gave in, however, on their original demand that the observers should not patrol, but observe from stationary positions. The “weakness” of the TIPH mandate was the absence of an unrestricted right to access and to information. For example, as all Israeli prisons and detention centres were declared “military areas” and thus outside the TIPH’s area of responsibility, the international observers were prevented from inspecting prisons and monitoring the release of detainees. The observers had no right to information, or active participation by the parties in assisting the mission; the parties might withhold information vital to the TIPH’s mission. (This was significantly different from UN Civ Pol observers, who have the right to access of information pertaining to the execution of their mandate.) The TIPH’s mandate contained no reference to the monitoring of police and law enforcement in Hebron city, and its mandate was interpreted as not involving “investigation” of human rights abuses – only monitoring and reporting human right abuses witnessed by the observers themselves in public places.

The TIPH reports were confidential and were regularly submitted to the *Joint Hebron Committee*, consisting of the PLO-appointed Mayor of Hebron, and the local head of the Israeli Civilian Administration. The strength of this arrangement was that it allowed for a low-profile, less politicised discussion on practical steps for improving the security situation in the city. Such an arrangement suited Israeli interests more than those of the PLO, who wanted to keep up the pressure on Israel for removing the Jewish settlements in the city. In their eyes, it was a major flaw that the TIPH was accountable neither to the UN nor to any corpus of international law, but to a joint committee and, therefore, to Israeli military orders in the Territories.¹⁵⁷ Perhaps for this reason, the TIPH mission was very much ignored by the PLO. The TIPH leadership reported that “it has been difficult to establish ways of co-operation operationally [with the PLO representatives] ... partly due to lack of political influence .. and partly because of weak organisational structure”. To the TIPH mission it appeared that the PLO’s representatives in Hebron Municipality and the City Council were hamstrung by a lack of authority, delegated from the PLO leadership, as well as insufficient

¹⁵⁷ Usher, 1995, p.22.

authority and influences among the Palestinian opposition groups in Hebron. The Council had been in office only since April 1994, and was still in the process of asserting its authority. Perhaps as a consequence of these factors, the PLO controlled Municipality in Hebron had made “no adequate preparations or thoughts (of) how to benefit from TIPH’s presence”, and they appeared unwilling to address this issue.

A common instrument in securing local goodwill in international operations is the launching of humanitarian/civil affair programmes, combined with a public relation/information campaign designed to counter misinformation and false rumours about the force. These strategies were also employed in Hebron city by the TIPH mission. There were references to the promotion of an “environment conducive to .. economic development” in Hebron, yet, for various reasons, the TIPH’s real humanitarian efforts were rather limited. There were high expectations that the TIPH would play a major humanitarian and development role in the Hebron area. To this end, the mission had included several development experts to identify needs and draft projects. Yet the participating countries had made no plans for large-scale development efforts in Hebron, and TIPH’s humanitarian and development efforts were largely confined to surveying needs, as well as a small-scale programme for children affected directly by the horrors of the Hebron massacre.¹⁵⁸ The public relations aspect was important. The TIPH had its own Civil Affairs Section (CAS), which played a vital role as a public relations unit, disseminating information about the TIPH’s task and mandate to a large number of organisations, institutions and key figures in the Hebron community.¹⁵⁹ The force included a small number of interpreters (four Arabic-speakers and one Hebrew speaker); the value of sufficient linguistic competence was an important lesson learned for the next TIPH missions, which began in 1996 and 1997. These included a much higher number of Arabic-speaking observers, nearly one observer per patrol.

The TIPH sought to establish liaisons with a wide range of groups in the city; contacts were established with groups as diverse as the Chamber of Commerce, foreign and local NGOs and political organisations active in the area, such as the Islamic Youth Movement affiliated to Hamas, as well as the Jewish settlers in the city. The TIPH leadership later described most of these relations as “cordial and constructive”. Some of these contacts were also important from a security point of view. After meetings with the Hamas-affiliated youth movements, the TIPH leadership was reassured by their pledges that they would “not to harm the TIPH members in any way”.¹⁶⁰ Despite predictions to the contrary, the TIPH also

¹⁵⁸ The CAS worked to establish an overview of the living conditions in Hebron city, for future development project. It devoted particular attention to the situation of children who had experienced the massacres and/or the loss of relatives in the Hebron mosque, and organised Summer Camps for children with financial support from the participating countries. The TIPH mission provided for a youth football team from Hebron to participate in the Norway Cup. etc.

¹⁵⁹ The CAS contained a Civilian Affair Co-ordinator, Social Co-ordinator, External Affairs Officer, Medical Officer, Nurse, Legal Advisor, an engineer, and one community worker.

¹⁶⁰ The Israeli press reported on one occasion that Hamas did not welcome the mission to Hebron, and “protested the arrival in Hebron on 11 April of an advance team of the international observers in the City of

avoided confrontations between themselves and extremist settler elements which on several occasions had condemned the international observer force, and accused it of being everything from “biased” and “anti-Jewish” to directly “Nazi”.¹⁶¹ The TIPH advance team to Hebron in April 1994 was wise to inform and consult both the Palestinian Islamist radicals and the Jewish settlers of their mission, so as to defuse tensions. Attacks on the TIPH remained at the verbal level only.

When discussing relations and co-operation with the Palestinian side, the TIPH leadership highlighted “the good and warm reception TIPH has enjoyed during the mission”. This was attributed to the work of the CAS and their public relations efforts, whose “impact cannot be overestimated”. Yet it is clear that mere dissemination of information would not have made the observer mission popular, if the Palestinian population in one or another way had not seen the observer mission as being on their side. A decisive event in this respect was probably the incident which took place on 8 May 1994 – the day of arrival of the TIPH mission. An agreement had been reached with the IDF for an armed Israeli patrol to escort the vehicles of the TIPH observers until the entrance of Hebron city. From there, the TIPH vehicles were to proceed without Israeli escort until the municipality in the centre of Hebron. From the TIPH’s perspective, this procedure was vital in order to signal from the very beginning that the force was not an appendix to the IDF. A heated dispute arose when the IDF continued to escort the TIPH’s vehicles beyond the entrance point. The TIPH Head of Mission, a headstrong Norwegian Police Major General, then ordered his crew to block the way for the Israeli vehicles by using the tiny Fiat cars at the TIPH’s disposal as “road blocks”. Moreover, he threatened to return to Jerusalem immediately if the TIPH were not allowed to enter the centre of Hebron city unescorted. It was undoubtedly far beyond the TIPH’s mandate to restrict IDF movement. Yet, to the cheering crowd of Palestinians who witnessed the incident or heard it retold as the news of the “confrontation” quickly spread, the message went straight home. The TIPH had made “a strong opening” and intended to play an independent role. However, this could not conceal the fact that the TIPH was heavily dependent on the Israeli military in Hebron for the fulfilment of its mandate. The Israeli military authorities quickly demonstrated their power to circumscribe TIPH operations. When two settlers were killed by Islamic militants just outside Hebron, the Israeli army imposed a curfew which extended to TIPH observers, too. Stuck at the Headquarters, the TIPH spokesman was quoted as saying: “We’re just sitting in our foxholes... [The situation is] a little bit frustrating”.¹⁶²

the Patriarchs .. The fundamentalists reject an international presence in the city”. (See *Jerusalem Report*, 5 May 1995, p.5.) Reports from participants at the talks between the TIPH leadership and the Islamic Youth Movement as well as interviews with the Hamas leadership did not support this contention, however, and there were no incidents or reports of threats against the observer mission involving the Hamas.

¹⁶¹ Interviews with former TIPH observers. For the settlers’ public campaign to remove the RTIPH mission, see for example “Settlers: TIPH must leave”, *The Jerusalem Post*, 20 August 1996.

¹⁶² “Islamic militants slay 2 settlers in Hebron”, *New York Times*, 18 May 1994, p.14.

Co-operation with the Israeli military in Hebron was hamstrung by several factors. Israel had always been opposed to the idea of an international observer force, and the local military Israeli commander occasionally showed contempt for the TIPH mission by declaring parts of the city “military area”. This served to block the TIPH’s freedom of movement, as the Agreement stipulated that the TIPH’s freedom of movement was subject to restrictions only in the case of “imperative military necessity, and then only as an exceptional and temporary measure”. The leadership of the TIPH mission felt that “these restrictions were not always necessary for military reasons, but could be seen as used to prevent the TIPH’s possibilities to observe and report .. It is rather the TIPH’s impression that the Israeli Government, a signing party of the Agreement, has allowed IDF in Hebron to act without interference”. There were other occasions where the TIPH experienced a lack of Israeli consent to their presence on the terms stipulated in the Agreement on the establishment of the TIPH.¹⁶³ On balance, the TIPH mission did experience a co-operative attitude in the field with local commanders in terms of discussing specific incidents, as well as support in a wide range of practical matters.

Regarding the TIPH’s relationship with the participating countries as well as the donor community in general, the TIPH leadership felt somewhat let down by the lack of interest and indifference towards the TIPH mission and its reports, a fact which inevitably decreased the leverage of the mission as a whole. One diplomat described the prevailing attitude towards the TIPH mission as “shut up and stay there”. If the TIPH’s reports had been given more weight in discussions among the donor countries and the parties, this would have increased the TIPH’s ability to influence the human rights situation in Hebron.

In the absence of a “solid” mandate (right to information, to access, to monitor law enforcement, investigate abuses etc.), enjoying varying degrees of consent from the parties and suffering from a lack of interest among the donor community, the TIPH has often been judged as a “failure”. This belief stemmed from the mission’s strongly diluted mandate which made it look impotent and powerless in the eyes of the Palestinian Hebronites who had been outraged at the failure of the international community to address their security concerns.¹⁶⁴ Polls conducted during the TIPH mission seemed to confirm what numerous interviews and reports had indicated earlier; only some 20 % of the local population in Hebron thought the TIPH mission reduced the number of clashes between Palestinians and

¹⁶³ On one occasion an Israeli high-ranking official stated to press reporters that “the Israelis did not ask for a presence of international observers in Hebron, .. and had made no commitment in this regard”. Other Israeli officials accused the TIPH of violating the Agreement by entering the closed areas in central Hebron and privately owned Jewish ground. IDF members of the Joint Hebron Committee moreover, expressed that “the Agreement is not a valid document”.

¹⁶⁴ The observer mission was also ridiculed because of their white uniforms which earned them the nickname “Pizza vendors” among the locals. Interviews with former participants in the TIPH mission. See also Makovsky (1996), p.146.

Israelis in the city, and an equal share (23%) commended the TIPH contribution in providing the feeling of security.¹⁶⁵

The TIPH admitted themselves that they received many complaints from Palestinians regarding problems such as house searches, vandalism, closing down of houses, denial of access to Civil Administration, lack of information about apprehended persons as well as bad behaviour on the part of Israeli soldiers. While a large number of these complaints were handed over to the IDF for necessary action, “only a few cases have been responded to”, the TIPH leadership reported:

For IDF to start investigation into complaints the complainant should personally state his or her complaint to IDF. Complaints only given to the TIPH would not be related to. Most of the complainants did not do so, however, as they feared retaliation from IDF's side.

The TIPH's attempts to deal with harassment and human rights abuses on the part of Israeli soldiers met with similar obstacles. The mission sensed a certain “willingness to improve conditions”. However, only marginal improvements were registered, a fact which was partly attributed to the high turnover of troops. It managed to contribute to the lifting of a few closures, as well as a slight improvement in the behaviour of IDF soldiers. Members of the TIPH furthermore credited themselves with having created “mutual trust and a frank and open atmosphere” through dialogue in the liaisons committees, which contributed to “a softer approach by the IDF towards the Palestinians”.¹⁶⁶ Yet the central issue of lifting the closure of the wholesale market in central Hebron, imposed after the massacre in February (perceived as a absurd collective punishment against Palestinians for a crime perpetrated by a Jewish settler), remained unresolved. This and other failures in efforts at improving the daily lot of the Palestinian civilians contrasted sharply with the high expectations of what the coming “international force” would achieve that had prevailed among the Palestinian population prior to the TIPH's deployment. Palestinian radio had broadcast on several occasions that complaints could be directed to TIPH HQ and its observers, raising hopes that the mission would exert significant influence on the policies of the Israeli authorities, without specifying the severe limitations of the actual TIPH mandate.¹⁶⁷ In this light it was perhaps inevitable that Palestinian critics and foreign analysts should come to judge the

¹⁶⁵ The results of these polls were nonetheless better than one could predict. The polls covered all of Hebron while the TIPH mainly concentrated its operations in the troublespots in the Old City. Thus, only a minority of the Hebronite population – mainly the Old City residents who experienced daily friction with the IDF and settlers – could be expected to experience the benefits from the presence of the TIPH. Furthermore, the Palestinians had demanded the dismantling of the Jewish settlement after the massacre; when they got the unarmed TIPH, it was easily seen as a move designed to legitimate the Jewish enclaves in the City and preserving status quo. For this reason, many would arguably object to the TIPH presence, irrespective of its actual performance.

¹⁶⁶ On two occasions the TIPH was invited to explain the purpose of their mission and their mode of operation to new IDF troops in the area. This was never done systematically, however.

¹⁶⁷ Even people from surrounding villages far outside TIPH's tiny Area of Responsibility (AOR) came to Hebron to file their complaints.

TIPH to be a farce — “ ‘TIPH was empowered, as one Palestinian put it, ‘to observe the occupation’ ”.¹⁶⁸

All this being said, it is important to note that many objections raised against the TIPH often stemmed from a lack of understanding of the role of an observer force, in contrast to a full-scale armed peace-keeping force. Like most other observer forces, the TIPH was strictly consensual, without any enforcement powers. Given the fact that the TIPH’s instruments of influencing the parties’ behaviour were observation, monitoring and reporting abuses, leaving it to the parties themselves to take effective measures, **a major criterion for gauging the success of the TIPH should be to what degree their presence contributed to a lower level of violence in the city.** Although it is difficult to establish causalities in this context, it is noteworthy that during the TIPH’s deployment in Hebron in May–August 1994 not a single Palestinian or Israeli was killed inside the TIPH’s AOR. The level of violence and the scale of confrontations was notably lower than before the mission’s deployment. At the close of the TIPH mission in Hebron, curfews were less frequent and were mainly confined to the traditional Friday clashes in central Hebron. Although this improvement must be seen in the context of a general progress in the peace process in this period, Israeli officials attributed the reduction of violence partly to the TIPH’s presence; the observers “in their white coats and their notebooks, have contributed to a calmer atmosphere”.¹⁶⁹ This was also acknowledged by the PLO leadership; when a serious incident erupted in Gaza on 17 July 1994 and Israeli soldiers and the new Palestinian police fired on each other for the first time since the beginning of the Self-Rule, PLO leader Arafat “asked that foreign observers be sent here to restore calm”. As the TIPH mandate drew to a close, the growing concern among the Palestinian population that the situation might return to what it had been before indicated that, despite many setbacks, the mission had had some impact on “the feeling of security” among the Palestinians in Hebron city.

At the expiry date of the TIPH’s first mandate period in August 1994, Israel insisted on getting rid of the observer force, seeing its continuation as a dangerous precedent that could lead to international supervision of the Occupied Territories. According to Leslie Susser in *Jerusalem Report*, Israel hoped that the “uncomfortable precedent” of international forces keeping the peace in the Occupied Territories “would be swiftly forgotten”.¹⁷⁰ By contrast, the Palestinian leadership was keen for the TIPH to stay and called for the renewal of its mandate,¹⁷¹ not least because the TIPH’s presence provided some assurance of a future Israeli redeployment/withdrawal from the city.

¹⁶⁸ Usher (1995), p.22.

¹⁶⁹ Leslie Susser, “Israel Insist on Getting Rid of Hebron Observer Force”, *Jerusalem Report*, 14 July 1994, p.5.

¹⁷⁰ *Ibid.*

¹⁷¹ “Al-Agha on Israeli Talks. Sha’t’h Jerusalem Visit”, on *Cairo Voice of the Arabs* 0510GMT 14 August 1994 (FBIS-NES-94-157)

5.3.3 Negotiations on a TIP Observer Mission for the PA-ruled Areas

The fact that the TIPH idea did not end with the Israeli insistence of TIPH withdrawal on 8 August 1994 shows the continuing belief in the utility of the “soft” observer concept in bridging gaps between the parties at certain stages in the peace process. As such, the importance of the earliest TIPH mission lies not merely in its symbolising the process of transferring territory to the Palestinians, but also by contributing to the continued discussion of new international observer forces for the West Bank and Gaza during 1994 and early 1995.

The Gaza–Jericho Agreement (4 May 1994) contained provisions for an expanded “Temporary International Presence” (TIP) beyond the Agreement of 30 March 1994 on the TIPH mission in Hebron.¹⁷² The Parties now agreed to a TIP mission of some 400 observers for the Gaza Strip and the Jericho Area. On 23 October 1994, a Protocol on TIP was reached, providing for a new mission significantly different from the previous TIPH mission to Hebron city.¹⁷³ The Protocol reflected a wide variety of economic and security concerns surrounding Palestinian Self-Rule in Gaza and the Jericho area, and a wish to support stability in the nascent Palestinian entity, as a stepping stone to further territorial transfers.

As opposed to the TIPH mission in Hebron city, the new TIP mission was to be stationed and operate only within villages and cities inside the Palestinian Self-Ruled areas. The mission should consist of “observers, experts, instructors, and other staff”, whose tasks were, among others, to “assist the Palestinian Authority through the use of TIP personnel’ expertise, in the exercise of its authority in the areas of operation”, “assist in the promotion [...] of projects initiated by donor countries”, “provide by their presence a feeling of security”, “encourage economic development and growth”, and “assist in the organisation of the Palestinian police”. This was a curious mixture of a “peace corps”, “police experts” and “observer team”. To the Palestinian leadership, the importance of this TIP mission was that it would serve as a confidence-building measure in ensuring that the Israelis would not reoccupy the Palestinian self-ruled areas at later stages in case the peace process collapsed. It should contribute to making the transfer of territory irreversible, an aspect which was left somewhat ambiguous in the Peace Accords.¹⁷⁴

Throughout negotiations from late 1994 to February 1995, proposals for a new TIP mission received a mixed response from the donor countries, as well as from the parties, for a variety of reasons. First of all, these were seen as an attempt to include a third party in

¹⁷² “The Agreement on the Gaza Strip and the Jericho Area” (4 May 1994), Article XXI (“Temporary International Presence”).

¹⁷³ *Protocol Concerning the Temporary International Presence*, 23 October 1994.

¹⁷⁴ Israeli analysts interpreted the interim period as a “test” of Palestinian sincerity in peace. If they found it was lacking, Israel should be free to halt and if necessary reverse the process. See for example Shlomo Gazit (1994b).

security matters, something the Israelis greatly resisted. The Palestinians argued that “TIP... was intended to be a security-related operation,... and there is no need for an aid-oriented TIP”, a view which clearly reflected the Palestinian need for a third party in security matters. Palestinian chief negotiator Nabil Shaath believed that TIP presence might calm down the situation at trouble spots, such as the border crossings where incidents in January 1995 had led to the killing of three Palestinian policemen in a shoot-out with Israeli border soldiers. The Israelis, however, were definitely opposed to anything else than “a civilian operation with the main emphasis on aid-related activities” without security-related tasks. According to the Israelis, TIP should “operate exclusively in a Palestinian context and not function as a buffer between Israel and the Palestinians”.¹⁷⁵ (The conflicting views over the role of TIP role illustrate a fundamental theme in the Oslo Peace Accords on security matters, namely Israel’s insistence on no third party in security, and a strictly bilateral security co-operation structure.)

Secondly, the donor countries were sceptical since TIP’s functions significantly overlapped tasks of UN Special Co-ordinator's Office who co-ordinated and monitored police training programs, and that of other aid co-ordinating mechanisms, such as the LACC (Chapter 6). This was very unfortunate; the human rights abuses of the Palestinian Police Force (PPF) were already a widely recognised problem at this stage in the peace process (early 1995) and the planned TIP mission would have given the donor countries an explicit mandate from the parties to monitor the PPF’s performance, a crucial peace-building task which for the most part had been left to the human rights organisations. However, given the disagreements between the parties as to which functions TIP should have, potential contributing countries were sceptical to commit resources to a new TIP mission. In the end nothing came out of the 1995 TIP negotiations, but there remained the idea of an observer force as an important confidence-building measure (CBM) in the peace process. This was important in paving the way for the next TIPH mission in 1996 and 1997.

5.3.4 The TIPH Observer Forces after the Interim Agreement

With the signing of the *Interim Agreement* in September 1995, the role of TIPH changed once again. Now its role in monitoring the redeployment came to the forefront, as opposed to its previous focus on human rights monitoring. As the parties stalled over the issue of Israeli redeployment in Hebron provided for in the *Interim Agreement* (28 September 1995), an advance party for a new TIPH observer force was deployed in Hebron city in May 1996, consisting of 40 Norwegian observers and staff members. The immediate background for Israel’s acceptance of a new TIPH mission was that the PLO was about to convene the Palestine National Council (PNC) to repeal the clauses in the 1968 PLO Charter, which called for abolishing the State of Israel. The PLO Charter had become a

¹⁷⁵ Even TIP’s advisory role in relation to the police would have to be pursued “behind the scenes”, according to the Israeli view.

major issue in the negotiations, and the repeal of its controversial clauses by the PNC was seen as fundamental to further progress in the peace talks. To facilitate this, Israel wanted to “allow... Chairman Arafat to present a tangible achievement to the members of the Palestine National Council”, and promised to speed up its redeployment in Hebron. In this context, it offered the deployment of the TIPH as “a symbolic gesture designed to enable Arafat to show the PNC members that Israel is already making preparations for a withdrawal from the city”.¹⁷⁶ This strategy succeeded; the PLO leader managed to persuade a reluctant PNC to adopt the necessary amendments of the PLO Charter.

This instrumental use of the TIPH as a CBM in the political negotiations is a clear parallel to the background for the TIPH in 1994. The new TIPH mission departed, however, from the previous one in the specific references to “the Israeli redeployment in the city”. It was thus a more solid confidence-building measure linked directly to the pending Israeli withdrawal from most of the city than the previous TIPH had been. It served as a tangible manifestation of Israel’s obligation to carry out its obligations on Hebron. This assumed greater importance after the Israeli elections in June 1996, as the new Israeli government was known for its opposition to the Oslo Accords. Moreover, unlike the previous Labour government, the new Cabinet members felt a special commitment to defend the Jewish community in Hebron. A subsequent “freezing” of the peace process ensued; Israeli settlement expansions in the Occupied Territories poisoned the climate for peace talks; the crisis culminated in pitted gun-battles between Israeli soldiers and Palestinian policemen in September 1996. Despite a deadlock in the political negotiations, there were never any serious plans for withdrawing the TIPH mission.¹⁷⁷ It was believed that the presence of observers in Hebron served as one among several factors which contributed toward making the peace process irreversible for the new Israeli government. This apparently proved true when Israeli redeployment took place on 15 January 1997; surprisingly, the Netanyahu government had acceded to something which the previous Labour government had long been hesitant to do. Although it left more than 15,000 Palestinian Hebronites under Israeli security control, the redeployment was nevertheless seen as a major breakthrough in the peace process, not least because it demonstrated the Likud government’s continuation of the peace process, and was widely seen as the abandonment of the “Greater Israel” project by the Israeli right.

After the redeployment, a new and expanded TIPH mission was set up, including some 120–140 observers from six European countries (Italy, Switzerland, Turkey, Denmark, Sweden and Norway).¹⁷⁸ The human rights aspect re-emerged as the TIPH’s main task. The new mandate was merely a replica of that of the earliest TIPH, a point much criticised both inside and outside the TIPH. Although TIPH members proposed having the mandate re-

¹⁷⁶ *Tel Aviv Radio* 1400GMT 21 April 1996 (FBIS-NES-96-078)

¹⁷⁷ Norway, as the only participating country in TIPH advance party, would not withdraw from the mission, as “it would send the wrong signal to the parties”.. Interviews in Tel Aviv in December 1996.

¹⁷⁸ This section is based in interviews with former leading TIPH members and TIPH reports.

negotiated, the participating countries were inclined to avoid creating “unnecessary friction” with the Israelis which, it was believed, would only lead to the discontinuation of the mission.

Given the history of the TIPH and its role as a CBM in the peace talks, it was evident that conflicting views on the role of the TIPH would arise between the diplomatic level (local and capital) of the participating countries on the one hand, and the TIPH leadership on the other. The diplomatic level of leading participating countries preferred to see the TIPH as merely “a temporary CBM with no direct link to the TIPH’s mandate”, and did not expect the TIPH to have any real impact on the daily lot of the Palestinian Hebronites. The TIPH leadership, however, not content with being merely a chip in the diplomatic game, wanted its presence to make a difference for the local population. Despite the existence of a contact group of the participating countries, and a designated co-ordinating nation for the TIPH, there existed no *functional* mechanism for providing political guidance to the TIPH leadership, who on some occasions was left alone to bear the brunt of Israeli complaints about TIPH reporting.

As had been the case in 1994, the participating countries deliberately chose to not give priority to the economic clauses in the TIPH mandate; the TIPH sought to facilitate some trade contacts, etc., but not to undertake or co-ordinate development projects themselves. A few minor projects were started with a view to fostering good relations with the Hebronite community. A Community Relations Division was designed to this end, and it did much to improve relations with the local community. Yet in the eyes of most Hebronites, the TIPH were inevitably seen as outsiders, foreigners and, mainly, non-Muslims, with varying degrees of respect for local customs and traditions. Occasional lack of cultural sensitivity, especially in as to alcohol, led to friction and on one occasion the stoning of “a TIPH party”. These were minor incidents, however, and as far as is known, there were no serious security threats to the TIPH from Islamic militants or Jewish settlers.¹⁷⁹

Compared to the tiny “Norwegian” TIPH in 1996, the new and much larger multinational observer force greatly improved its performance in various fields. One example was in reporting. As opposed to the previous missions which had confined their reports to the local-level *Joint Hebron Committee*, the new TIPH began to submit periodical reports to the parties in the Monitoring and Steering Committee (MSC), a high-level joint Palestinian–Israeli committee established by the *Interim Agreement*. The political climate has not allowed for the convening of the MSC so far (May 1998). Yet the TIPH’s periodical reports and the political repercussions created by these reports – Israel on one occasion threatened to veto the quarterly renewal the TIPH’s mandate due to one of the reports – have contributed to increasing the attention given to the TIPH’s presence and reporting. Another

¹⁷⁹ On one occasion there were rumours about Hamas planning to hijack a TIPH vehicle to be used in a suicide attack. There was also one assault on a TIPH vehicle by Jewish settlers.

example of the TIPH's evolution since 1996 was its gradual emphasis on more follow-up of incidents and some "investigations", stretching the vague mandate beyond what had been done in earlier TIPH missions, who had limited reporting merely to what the observers witnessed themselves in public places. A further new dimension of the TIPH was its participation in the DCO, the Palestinian–Israeli local security co-ordination mechanism in Hebron. TIPH officers were permanently stationed at the DCO, and through its liaison officers, the TIPH helped in solving minor incidents on the spot, preventing them from escalating into major confrontations.

A new challenge to the TIPH emerged from the deployment of the Palestinian Police Force (PPF) in most of Hebron city, in particular from human rights abuses committed by the PPF. There were at times "heated discussions within the TIPH community whether they should monitor the PPF", or whether this task should be left for the human rights organisations and the ICRC only. Accounts of brutal torture against Hebronites by PPF elements made this issue particularly urgent. In the absence of UN Civ Pol observers on the Palestinian–Israeli scene, there was no-one to conduct daily follow-up and monitoring of the PPF's performance. The TIPH was hesitant to assume this task, for various reasons, especially as many Hebronites thought the TIPH mission had been deployed to protect them from the Israeli occupation only. The PPF was initially opposed to such monitoring, but has gradually accepted TIPH reporting on the PPF's performance in public places. Yet as most human rights abuses by the PPF take place inside prisons and detention centres where the TIPH has no access, the actual impact of TIPH reporting on PPF conduct cannot be significant.

The TIPH appears to have left a legacy beyond its short-term contribution as a CBM in the political process and a conflict moderator in Hebron city. The fact that Palestinian and Israeli negotiators are reportedly exploring the possibilities of "employing the TIPH model" for the Palestinian harbour and airport in the Gaza Strip indicates that the TIPH observer force concept may be useful outside Hebron city. The strength of the concept is that it may serve as a bridge in highly asymmetrical conflicts where concerns over sovereignty and security preclude the use of traditional forms of peace-keeping.

5.3.5 The TIPH in the Oslo Peace Process: Main Points

- The TIPH's main importance in the peace process lies in its role as a **confidence-building measure** to the Palestinian negotiators at a critical stage of the peace process, facilitating the continuation of the political process.
- The TIPH observer forces fulfilled a role in the peace process by serving as a **low-profile conflict-moderator** in one of the potentially most volatile places in the Occupied Territories.
- Finally, the TIPH, as the very first international observer mission in the Occupied Territories since 1967, served as a **symbol of the gradual transfer of territory** from Israel to the Palestinians. The first TIPH mission set an important precedent for

international observers in the Territories, signalling the loosening of Israel's grip on the West Bank, and a greater willingness to transfer territories to the PA.

5.4 Disarmament, Demobilisation, and Reintegration of Former Combatants

5.4.1 Disarming Armed Rejectionist Groups

Disarmament and collection of weapons are important for ensuring the security of the civilian population in a post-agreement peace process. It enhances the law enforcement capacity of the newly established authority. More important, disarmament is a powerful symbol of change, marking the fundamental transition from civil war to peace. The supervision of disarmament and the collection of weapons as part of a peace settlement is a task which external actors frequently take on. In many peace processes external actors have taken various measures to reduce the presence of arms among the population, ranging from "Gun Buy-Back programmes" to checkpoint searches for arms, and the locating of arms caches.¹⁸⁰ The control of arms is essential for the security for the civilian population, as well as for maintaining a ceasefire in intrastate post-conflict situations where lines between the parties are blurred and difficult to monitor. Yet the collection of small arms, which cause the greatest number of casualties in intrastate civil wars, is one of the most difficult tasks to accomplish in a post-agreement peace process. Former combatants will often exhibit an ingrained unwillingness to surrender arms, particularly if there are widespread fears that hostilities will resume, or if many groups perceive the current peace process to be so gravely unjust that continued warfare appears to be the only legitimate option. Moreover, the possession of arms may be seen as a source of power, prestige or a security guarantee which is hard to renounce. In the face of opposition to surrender arms on the part of armed groups – especially if they are more than marginal fringes, and enjoy support and sympathy of substantial section of the local population – one can hardly expect any disarmament campaign to be successful. **The key to successful disarmament is winning local support for and consent to such a campaign. This was exactly the problem for the newly-formed Palestinian Authority after Self-Rule was established in May 1994; it failed to obtain wide consensus on the need for disarmament and surrender of small arms.**

The issue of small arms in the Occupied Territories went beyond the struggle against the Israeli occupation. The availability of small arms contributed to the proliferation of armed groups which usurped vast powers in the local communities. Since the partial collapse of existing law enforcement mechanisms at the onset of the *intifada*, armed militants had assumed the role of law enforcers often at odds with human rights standards and local perceptions of legitimate law enforcement.¹⁸¹ The problem of arms proliferation was

¹⁸⁰ See for example UNIDIR (1996), p.24.

¹⁸¹ See for example Be'er and 'Abdel-Jawad (1994), p.10 and Said Ghazali, "After Israel's Hasty Departure, PLO Must Control Tough Nablus" (12 December 1995) NABLUS, West Bank (AP).

exacerbated in the period prior to and immediately after the Israeli redeployment in May 1994, when a large influx of small arms took place to the Gaza Strip. Lara Marlowe and others reported on the eve of the Israeli redeployment in 1994 that:

Both Palestinians and Israelis say weapons have poured into the Gaza Strip over the past few months. Residents hear shooting every night. Any Gaza City taxi driver is able to quote the going price of M-16 and Glilon automatic rifles and Uzi submachine guns.¹⁸²

Various reasons were cited for the proliferation of arms: the scaling down of Israeli military presence in the area and the resultant loosening of control; uncertainties about the future led Gazans to buy arms for self-protection. Others bought arms “as a symbol of prestige”, or to settle scores with old foes and avenge the deaths of family members and relatives.¹⁸³ This development was perhaps not so ominous for the newly installed Palestinian Authority as one might have thought. According to arms dealers, “the powerful families of high status within the tribal society... are the main clients”. This led to a strengthening of the rich and conservative families in the Gazan society, which subsequently became important allies for the new Palestinian Authority, at the expense of the young radicals in the militias. Observers reported that “[s]ome families in Gaza have more weapons than the Palestinian factions themselves”, which led to a weakening of the policing and conflict-solving role of the Palestinian armed factions which had been established during the *intifada*.¹⁸⁴ Whether or not this was a carefully planned move to strengthen the hands of the new Authority, it nevertheless confronted the PA with armed groups both associated with political factions and with powerful families. But only the armed wings of the political factions were likely to mount armed attacks against Israelis and thereby undercut the PA in its political negotiations with Israel.

The disarmament of armed Palestinian militant groups opposed to the Oslo Peace Accords was seen as a necessary prerequisite for the continuation of the peace process. For 27 years Israel had occupied these territories without being able to disarm the militias. One of the reasons for the Rabin Government’s acceptance of Oslo was the belief that Arafat’s police and security forces would be in a better position to disarm the Palestinian militias and prevent Palestinian violence against Israelis. The Israeli Government explicitly cited disarmament of the anti-Israeli guerrillas as a condition for further implementation of the Oslo Accord, and the PA’s containment of terrorism was deemed by Israel as the “real test” of Palestinian Self-Rule.

¹⁸² “Peace Postponed: As Violence Escalates, Israeli Forces Prepare to Redeploy, but P.L.O. Police are yet to be Seen in Gaza” by Lara Marlowe and Jamil Hamad, *TIME Domestic*, 143 (16) (18 April 1994).

Palestinians accused Israel of “opening an arms market ahead of the arrival of the Palestinian National Authority. Twenty thousand guns were sold prior to the arrival of the (PNA)”. See “Telephone interview with Furayh Abu-Middayn, Justice Minister in the Palestinian Authority, in Gaza”, by Salim Badawi on Paris Radio Monte Carlo in Arabic 1803 GMT 14 Apr 95 (FBIS-NES-95-074).

¹⁸³ “Weapons Spread in Gaza Strip”, *Biladi: The Jerusalem Times*, 25 March 1994, p.7.

¹⁸⁴ *Ibid.*

As opposed to peace processes with a high degree of external enforcement or involvement in disarmament, the task of disarmament was to be solved by the parties themselves. This was reflected in the Gaza–Jericho Agreement, signed in May 1994, which prohibited all “other armed forces” beside the PPF and the IDF in the Gaza Strip and the Jericho Area, and obliged each side to “enforce upon civilians subject to its authority a prohibition on possession or carrying weapons without a license”.¹⁸⁵ No external role in supervising the disarmament process was provided for.

From an Israeli perspective, the Agreement obliged the PA to carry out at its own discretion the task of disarming Palestinian guerrillas, armed *intifada* activists, and other armed underground movements. There was an underlying assumption that the Palestinian Authority was willing and able to carry out such a disarmament campaign against armed Palestinian groups opposed to the peace process, and even that the PA would do this out of self-interest to secure its own position.¹⁸⁶ This assumption proved misguided. Disarmament in the Self-Rule Areas did not happen, at least not to a degree that Israel would deem sufficient, and this contributed to delay the implementation of the Peace Accord.

There were many reasons why the new Palestinian Authority was reluctant to disarm the armed wing of Hamas and other rejectionist factions. One was the fear that the PA would jeopardise its legitimacy among the Palestinian population in the Occupied Territories if it cracked down too hard on armed Palestinian groups. **Throughout the peace process, the PA had to walk a tightrope between Israeli pressure to disarm Palestinian rejectionists and heavy domestic opposition to the very same measures.** When the Palestinian Police Forces arrived in Gaza and Jericho in May and June 1994, they were specifically instructed to do their utmost to maintain a good relationship with the local population. Any heavy-handed disarmament was simply out of the question. The head of the Palestinian Police Force, Nasser Youssef, repeatedly stated that the Palestinian police would not embark on house searches for weapons, but would merely prohibit civilians from carrying arms in public. “We have not requested the collection of arms, but, rather, the control, licensing, and organisation of the possession of arms”.¹⁸⁷ This position was justified by the fact that since Israel also allowed civilians to carry arms (the settlers in the Occupied Territories were well-known for brandishing their arms in public), it would undermine the PA’s credibility if Palestinians should be disarmed “unilaterally”. The vast majority of Israeli settlers throughout the Occupied Territories were allowed to retain their weapons, despite the Hebron massacre where dozens of Palestinians had been slain by an armed Jewish

¹⁸⁵ The parties were allowed to permit civilians to carry arms, a provision which allowed Israel to permit the continuation of armed settlers throughout the Occupied Territories. See “The Gaza Jericho Agreement – Annex I: Protocol Concerning Withdrawal of Israeli Military Forces and Security Arrangements”, Article VIII.8.

¹⁸⁶ Makovsky (1996).

¹⁸⁷ “Police Chief on Problems of Policing Gaza, Jericho: Major General Nasr Yusuf Tells AL-SHARQ AL-AWSAT: Self-Rule Police’s Problems Due to Starvation and Spread of Specialised Gangs Phenomenon”, *Al-Sharq Al-Awsat* (London), in Arabic, 23 June 1994, p.5 (FBIS-NES-94-123).

settler. Israeli disarmament was merely confined to a dozen of Israeli extremists in the Hebron area.

The PA did “not want to be a cat’s paw for Israel”.¹⁸⁸ The PA would be strongly at odds with its constituency if it embarked on forcible disarmament when most of the Palestinians areas were still under occupation. Heavy-handed police measures against the armed wing of Hamas in Gaza was deemed impossible, given the widespread local support for the Islamists. The vehement opposition from Hamas leaders clearly signalled that many militants would not surrender their arms voluntarily. In August 1994 Hamas spokesman Ibrahim Ghawshah denounced the PA’s demand that Hamas collect and surrender all its weapons as “a criminal and treasonous act” and reiterated Hamas’ position that it “will not surrender a single weapon”.¹⁸⁹ Hamas spokesmen repeatedly warned Arafat against “igniting the fire of sedition” by trying to disarm *‘Izz-al-Din Al-Qassam Brigades* and explicitly warned of the eruption of a civil war in the Occupied Territories as a result of “the Palestinian Authority’s provocations against those opposed to the Oslo Agreement”.¹⁹⁰ There were several occasions of shoot-outs and armed clashes when Palestinian security forces staged short-lived crack-downs on Islamic militants after Hamas suicide operations against Israelis. If the Palestinian Police Force should launch a forcible disarmament of Islamic militants, whose operations against Israelis, especially Israeli soldiers, were supported by a majority of Palestinians, this would mean engaging in practises closely associated with the former Israeli occupying forces. The new and fragile Palestinian Authority was simply not willing to run the risk of civil war. When asked in August 1994 about the possibility of collecting illegal arms in the Gaza Strip and why no arms had been collected, Palestinian leaders emphasised that there was still a need to build more consensus on this issue, and that they would do it their own way; “it should be done with consideration and with the proper political atmosphere”.¹⁹¹ **The absence of political will to pursue effective disarmament campaigns must be understood in the context of the Israeli decision to undertake undercover operations in the Self-Rule Areas, resulting in the assassination of several militant Islamists.**¹⁹² This practise not only threatened to completely undermine the PA’s

¹⁸⁸ Kurz (1997), p.38.

¹⁸⁹ “Ghawshah on Arafat Anti-Hamas Campaign Interview with Hamas spokesman Ibrahim Ghawshah by Ra’id al-Najjar in Amman”, *Amman Al-Sabil* (in Arabic) 23–29 August 1994, pp.32–29 (FBIS-NES-94-165)

¹⁹⁰ “Hamas Spokesman in Jordan Warns of Civil War in Gaza”, *Al-Quds Al-‘Arabi* In Arabic, 15 May 1995, p.4 (FBIS-NES-95-095).

¹⁹¹ “PNA ‘Minister’ Sha’th Arrives on Visit to Jerusalem – Views Terrorism, Arafat’s Standing: Interview with Dr. Nabil Sha’th, Palestinian minister of planning and international cooperation”, by Hayim Yavin and Ehud Ya’ari, in the studio – live, in English on *Jerusalem Israel Television Channel 1 Network* in Hebrew 1700 GMT 14 August 1994 (FBIS-NES-94-157).

¹⁹² During the crackdown on Hamas’ military wing, *The Izz al-Din Qassam Brigades*, in March 1996, the militants announced that they “would surrender its explosives and most of its other weapons to [the PA]”, hoping that the PA would ease its crackdown on the movement, and that the PA would “demand that Israel remove the names of our militants from their list of people to kill, because violence can only lead to more violence”. See “Palestine: ‘Izz al-Din al-Qassam Statement on Disarming Detailed” *Paris AFP* in English, 1424 GMT 6 March 1996 (FBIS-TOT-96-011-L).

standing in Gaza, it also weakened the argument that disarming Palestinian factions was a necessary and legitimate step to ensure long-term peace.

The failure of the PA to disarm the militants was clearly recognised by Israel, especially as several lethal clashes put strains on the Palestinian–Israeli negotiations. Israeli newspapers reported in September 1994 that the January 1994 Rome co-operation agreement between the Israeli and Palestinian intelligence services (The Shin Beth and Preventive Security Service) “whose main objective was a joint struggle against Hamas” was not being fulfilled by the Palestinian side. “Hamas has not been disarmed; its activists were summoned to the PSS [Preventive Security Service] offices for questioning only and not for interrogation. In practise, Hamas and other fundamentalist organisations are conducting overt activities unhampered.” The Hamas movement was not only allowed to keep their weapons, but also to run “military training camps in Southern Gaza”.¹⁹³ As repeated suicide operations in Israel and armed attacks on Israelis in the Occupied Territories continued throughout the rest of 1994 and during 1995, the PA came under heavy pressure from Israel, the USA and the donor countries to disarm all Palestinian anti-Israeli armed factions. As a result, various measures to crack down on the rejectionists were taken, including the establishment of State Security Courts (see below). A decision to “disarm the population of Gaza and Jericho” was also taken,¹⁹⁴ but these measures were only short-term and not sufficiently far-reaching to satisfy Israeli demands.

The Israeli Government, especially after PM Netanyahu came to power, repeatedly cited the arms issue as proof of the PA’s lack of compliance with the Peace Accords, which in turn, justified the Israeli refusal to hand over more territory to the PA. In October 1996 Israel published a list of “10 of the most egregious PLO violations of the Oslo Accords” which focused mainly on security violations. It specifically emphasised PA’s “failure to confiscate arms and disarm and disband militias” including “the Hamas, Islamic Jihad, the PFLP, the DFLP, and Fatah”. According to the statement, the PA had “confiscated just a few hundred arms of the tens of thousands of weapons circulating in the autonomous areas. The PA’s violation of these provisions of the accords have allowed terror groups to remain active and well-armed and to carry out deadly attacks against Israelis.”¹⁹⁵ Although arms proliferation was also a recognised problem within the Palestinian community, Israeli refusals to undertake further land transfers made it even more difficult for the PA to gain popular support for disarmament. This was a vicious circle which, again, demonstrated the need for third parties.

¹⁹³ “Security Services Structure Reviewed: Report by Roni Shaqed”, *Yedi’ot Aharonot* (7 YAMIM supplement) (Tel Aviv) in Hebrew 9 September 1994, pp.5, 6, 8 (FBIS-NES-94-177).

¹⁹⁴ “Telephone interview with Furayh Abu-Middayn, Justice Minister in the Palestinian Authority in Gaza”, by Salim Badawi on *Paris Radio Monte Carlo* in Arabic 1803 GMT 14 April 1995 (FBIS-NES-95-074).

¹⁹⁵ *PLO’s 10 Violations of Oslo Accords* by Jerusalem Government Press Office in English, 25 October 1996 FBIS-NES-96-210.

The reason for Palestinian hesitancy and reluctance to embark on a large-scale disarmament campaign rested partly with Arafat himself. The Palestinian police generals, among them Nasser Youssef, had indicated that they were ready to embark on a disarmament campaign, but awaited a political signal.¹⁹⁶ However, the PLO leader obviously hoped to entice the Islamists into implicit acceptance of the Oslo regime, and felt that forcible disarmament would threaten national unity among Palestinians and lead to civil war. He pursued a “carrot and stick” policy towards the Islamists, hoping that in the end the Hamas leadership would restrict its opposition to the Oslo Accords to non-violent means. The “September 1994” clashes in Gaza, when the PPF opened fire on civilian demonstrators and worshippers, resulting in numerous deaths, were an ominous warning of an imminent Palestinian civil war which all parties wanted to avoid. Thus, the PA was inclined to tolerate the Islamist opposition as long as they did not launch their operations from PA-ruled areas. The Islamist militants adapted to this situation by largely limiting their “armed operations” to areas outside the PA’s control, preferably inside Israel – which, although embarrassing for the PA, could not be directly attributed to the PA.

Throughout the Oslo Process, the disarmament process has only been partial, and has been confined mainly to the Palestinian side. Palestinian disarmament measures have included well-advertised arms collection, arms registration campaigns, police crackdowns on armed Palestinian opposition groups, particularly in the aftermath of terrorist attacks in Israel. (This was mainly a result of outside pressure, from Israel, the USA and the donor countries to “destroy the terrorist infrastructure” in the PA-ruled areas.) Furthermore, the disarmament process has been carried out within the framework of co-opting armed Palestinian groups into the PPF and the numerous security services of the PA.

Since the crucial process of disarmament and collection of illegal small arms was not addressed in the Peace Accords, there existed no framework or arrangements for any international supervision and monitoring of the collection of small arms in the Territories. Again, the persistent opposition to any third-party involvement in security matters in the Oslo Process rendered this impossible. External actors did perhaps pay too little attention to ensuring that the parties were able and willing to control the abundance of small arms and explosives in the Occupied Territories. The international community responded mainly by trying to bolster the PA diplomatically, and financially, paying especially attention to the

¹⁹⁶ An opportunity presented itself in September 1994 when a senior Palestinian intelligence officer was killed in a clash with armed Hamas elements. Hard-liners in the Fatah Hawks and the Palestinians security forces wanted to deal a severe blow to Hamas, which was Fatah’s most serious rival. Yet Arafat chose to prevent a violent showdown, arguing that he “was against the mentality of liquidation and vendettas, and favoured settlements of all issues through dialogue, logic and persuasion”. When asked whether he thought that “time has come to disarm the public and control arms”, PLO leader Arafat answered that “the matter is under study”. See “Arafat Accuses Israel of Non-Adherence: Interview with PLO Chairman Yasir ‘Arafat by Salih Qallab in Gaza”, *Al-Sharq Al-Awsat* (London) in Arabic, 22 September 1994, p.2 (FBIS-NES-94-185).

Palestinian Police Force whose steadily expanding size undoubtedly contributed to greater control of arms in the Palestinian areas.

A more direct approach was begun in 1996, however, probably as a response to the spate of suicide attacks in February–March 1996 and the subsequent Sharm Al-Shaykh solidarity meeting on anti-terrorism. The CIA then began training Palestinian security forces in espionage information collection, interrogation and other techniques, aiming to improve their ability to identify, arrest and disarm suspected terrorists. Some of the Palestinian security forces were now equipped with modern counter-insurgency equipment, such as electronic eavesdropping systems. While these measures have undoubtedly increased the capacity of the PA to disarm Palestinian rejectionist groups, they have also reinforced the dangerous dominance of the security establishment in the areas under PA rule. Furthermore, **these measures are part of a non-consensus driven and coercive disarmament, which is not as effective as consensus-based disarmament, nor does it convey the psychologically important message which voluntary arms collection in a peace process does.**¹⁹⁷

5.4.2 Demobilisation and Reintegration of Former Combatants

*Demobilisation in a peace-keeping environment is the down-sizing or complete disbanding of armed forces of parties to a conflict. Generally, demobilisation is accompanied by the disarmament, retraining and integration into civilian society of some of the former combatants, and other into a restructured national army, police or other paramilitary force.*¹⁹⁸

It is generally agreed that demobilisation efforts will be more effective if demobilisation is explicitly agreed to in the peace agreement, and an institutional framework for the demobilisation exercise is established. The success of demobilisation efforts is contingent upon a certain level of disarmament, in addition to effective rehabilitation of former combatants and their integration into civilian life or the restructured army. The reintegration plan should preferably define the incentive package to be provided to former combatants to encourage demobilisation – such as staggered cash payments, food aid, clothing, household utensils, etc. – and to help former combatants become as self-reliant as possible. An information strategy to accompany the disarmament, demobilisation and reintegration process is also deemed essential to ensure the success of the operation.¹⁹⁹

The Oslo Peace Accord made no mention of the process of *demobilisation and reintegration of former combatants*, a regular and essential component of most peace

¹⁹⁷ The political dominance of the security services can be illustrated by the fact that the head of the *Preventive Security*, Jibril Rajoub, was for some time promoted as PLO leader Arafat's successor. For references on the CIA involvement, see *The Mid-East Dispatch* (<http://www.iipub.com/>) 29 December 1997 and *The Mid-East Dispatch* <http://www.iipub.com/> citing (Kol Israel 5 March 1998). See also "PLA Police: Made In Philadelphia?", *The Mid-East Dispatch: Daily News From Israel – Issue 410 – 16th June 1997*.

¹⁹⁸ UN Department of Peace-keeping Operations/ Lessons Learned Unit (1996), p.43.

¹⁹⁹ *Ibid.*

processes for ending protracted civil wars, nor did it receive much attention in the donor community. The reason for this was probably that the Palestinian *intifada* had been perceived of as a *civilian* uprising – stone-throwing Palestinian kids against Israeli soldiers who fired rubber-coated bullets in return – not as a full-scale guerrilla war against the Israeli occupation. This popular image was only partially correct. Several armed groups existed underground. They appeared not seldom in public brandishing their arms, and launched occasional guerrilla attacks on Israeli targets. Undoubtedly, for there to be a successful transition to peace in the Territories, these groups would have to be reintegrated into the Palestinian Police Force, or their transition to some kind of permanent civilian employment should be facilitated. If not, evidence from other ethnic civil wars demonstrates the potential dangers of unruly former combatants who easily perceive of themselves as the ultimate losers of the war.

There are few indications that the donor community attempted to single out particular groups as “former combatants”, in order to devise specific programmes for this category. The issue was dealt with indirectly, however. First of all, there existed special programmes for the rehabilitation and reintegration of ex-prisoners and ex-detainees, who in reality often were former combatants, as well as programmes for the reintegration of returnees, some of whom had been deported for “terrorist activities”. These categories included a significant portion of the Palestinian population in the Occupied Territories. Statistics released by the International Red Cross, estimated that 81,000 Palestinians had entered Israeli jails during the first six years of the *intifada* and some 25,000 had spent more than 12 months in jail or detention camps. Various programmes for detainees have existed. The Australian Red Cross for example ran a project of a total cost of c. US \$150,000 from June 1994 to April 1996 on the “Integration of Released Detainees”.²⁰⁰ The largest programme was that of the European Union on “Rehabilitation of Ex-Detainees in the West Bank and the Gaza Strip” starting in 1994. By mid-1996 some US\$ 13 mill. had been allotted for this project,²⁰¹ And as of early 1998 some 11,000 ex-prisoners had joined the programme. The programme has focused on the social and economic reintegration of Palestinians who spent more than one year in Israeli prisons, to facilitate their re-entry into the labour market. To this end, some 14 offices were set up throughout the West Bank and Gaza Strip, and 59 social workers have been employed. The need for rehabilitation programmes is evident; in the first three months, the ex-detainees rehabilitation programme received 11,000 requests. The criteria

²⁰⁰ United Nations / World Bank, *Partners in Peace: The Local Aid Coordination Committee (LACC) for Development Assistance in the West Bank and Gaza Strip* (July 1996), p.153.

²⁰¹ Germany has supported “The Training Programme for Returnees and Ex-Detainees” through the Otto-Bencke Foundation in cooperation with the Palestinian Ministry of Social Affairs. The project began in 1994, and some US\$ 4.3 mill. had been committed to the project by mid-1996. Switzerland has also contributed in the field of support programmes for ex-detainees in the West Bank and Gaza Strip during 1994 to 1996 in cooperation with Palestinian Ministry of Social Affairs. Some US \$ 2 mill. has been committed to the project by mid-1996. See United Nations–World Bank, *Partners in Peace: The Local Aid Coordination Committee (LACC) for Development Assistance in the West Bank and Gaza Strip* (July 1996), p.158.

for entering the programme have been designed to select “the most needy” according to criteria like the date of release, length of detention, marital status, employment and health situation. The programme offers training, job search assistance, loans (4% interest) from US\$1,000 to US\$2,500 and well as monthly allowances of some US\$150 per month. It also explores the possibility of psychological treatment, but it still meets a lot of resistance “because it is associated with craziness”.²⁰² Various local and international NGOs have been involved, however, in various mental rehabilitation projects for ex-prisoners. The need for this is obvious; according to Dr Eyad Serraj, Director of the Gaza Community Mental Health Programme, some 14% of Gazan youth suffer from various mental disturbances due to their experiences during the Israeli occupation.²⁰³ Although these programmes are civilian in nature, they have an important security dimension by specifically targeting groups that are probably more easily mobilised to renewed warfare than the average populace. Thus, the ex-detainees’ programmes can be seen as an important aspect of “civilian” security assistance, contributing to smooth the difficult transition phase for a core group in the peace process.

5.4.3 The Reintegration Capacity of the Palestinian Police Force

Another and far more important vehicle for the reintegration of former combatants was the use of security service employment to co-opt former *intifada* activists and guerrillas into the PA structure. The most obvious manifestation of this is **the substantial growth in security service strength, which is largely motivated by employment or patronage concerns rather than objective force requirements**. At early stages, the majority of the PPF consisted of “outsiders”, Arafat loyalists from the diaspora. However, the process of reintegrating local *Fatah Hawks*, the armed wing of the main PLO faction, accelerated when Arafat returned to Gaza in July 1994. Apparently, most of the *Fatah Hawks* entered the *Preventive Security Service*, although the civilian wing of Fatah remained distinct. In addition, a large number of local Palestinians were recruited to the police and security forces. The Palestinian Police Force increased many times over, from some 5,000 in July 1994 to more almost 18,000 by March 1995. The subsequent 20 months saw a further doubling of the number of Palestinian Police members. Frequently, former prisoners were recruited directly into the police and security forces. This influx of former activists and guerrillas into the PPF led to a police force substantially larger than what the Gaza–Jericho Agreement had provided for, and a proliferation of security services far beyond what was permitted under the Agreement. Under the *Interim Agreement* some of these irregularities were formalised by adding two more police units to the PPF: *The Preventive Security Service* and the *Presidential Guard (Amn al-Ri’asa)*. In reality, these two security services had been a part of the PPF ever since the Israeli withdrawal from Gaza and Jericho in 1994.

²⁰² “Prisoner Rehabilitation: From Jail to a New Life” by Alessandra Antonelli, *Palestine Report* 4 (38), 13 March 1998

²⁰³ Lecture in Oslo, 12 March 1998.

By 1997, the Palestinian police and security forces numbered almost 40,000, and in Gaza the police–civilian ratio had reached ca 1–50, one of the highest in the world.

The donor community has made a vital contribution to this process by contributing financially to the expansion of the Palestinian Police Forces –an important priority in the donor community during the first year of DoP implementation. **By channelling funds earmarked for police salaries, as well as “operational funds” in the form of general budgetary support, the donor community has ensured that the Palestinian Authority has possessed sufficient resources for a dramatic expansion of its police and security forces.**

The rapid growth of the Palestinian Police Force undoubtedly absorbed unruly elements from among former armed militias. It appears to have been a fairly deliberate policy pursued by the leadership of Palestinian Police Force to absorb as many as possible of the former *intifada* fighters into the ranks of the police and security force in order to be able to “keep an eye on them”.²⁰⁴ In early June 1994, the head of the PPF, Maj.-Gen. Nasser Youssef, stated at a Gaza conference titled “The Palestinian Security and Police Forces”, “we will not be unfair to anyone. And we ask all of the political movements, especially those who carry weapons, to officially join the security forces”. He stressed the need for rewarding the *shabab* who had struggled so hard, and assured that “we are ready to absorb them and give them their rights”.²⁰⁵

The leading positions in the military and police hierarchy were nonetheless reserved for Fatah loyalists, most of them from among the “outside” leadership. The armed Islamists, for example, were usually not recruited into the Palestinian Police Force. There were several reasons for this. The PA rested heavily on the pro-Oslo Fatah Hawks, who were the backbone of the locally recruited police. Furthermore, the Peace Accords stipulated that the PA was not allowed to recruit policemen who had been convicted of serious crimes or had been involved in “terrorist activities” prior to their employment. According to the Accords, Israel had the right to veto the list of Palestinian recruits to the PPF, and the PA was in principle obliged to submit all new police recruits for screening. This has happened only to a limited extent, however, and even during the first year after the signing of Gaza–Jericho Accord, the PA started recruiting policemen locally, “up to one thousand ex-detainees” it was reported, without informing Israel or submitting their names for Israeli approval.

There have been several reports of Hamas or former Hamas members joining the police. Yet, with the exception of the Vice Department in the PPF, which recruited some 90 activists from Hamas after the bloody clashes in November 1994, apparently in an attempt

²⁰⁴ Interview with senior Palestinian police officers in Gaza.

²⁰⁵ “Political conference on the role of the Palestinian police force”, *Biladi: The Jerusalem Times*, 10 June 1994, p.3

to defuse tensions,²⁰⁶ Islamists have generally not been allowed, or have refused to join the PPF. Hamas spokesman in Gaza, Abdel Aziz Rantisi, has stated that “anyone who joins the army or the police will not be a member of Hamas anymore ... because Hamas forbids their supporters and members to be in the police”. The logic behind this stance was simple: Hamas “will not share in any force whose aim is to prevent the struggle [against the occupation]”.²⁰⁷ Moreover, since very few Islamic militants were released by Israel, there were few incentives on the part of the Islamists to join a police force which collaborated with a power who still kept many of their comrades in prisons and detention camps. **As far as is known there has been no rehabilitation programme targeting former Islamic militants**, along the lines of that of the Ibn Khaldoun Centre in Cairo which has tailored reintegration programmes of members of the militant *al-Jama'a al-Islamiyya* in Egypt.

5.4.4 Disarmament, Demobilisation, and Reintegration: Main Points

The important security tasks of disarmament, rehabilitation and reintegration of former combatants were not directly addressed in the Oslo Accords; there was no mandate for third-party actors to facilitate these processes so vital for the war-to-peace transition in post-agreement peace processes. This work was left for the Palestinian Authority (PA) to undertake on its own. In the absence of sufficient popular support for disarming and disbanding armed militias, the PA was unwilling to undertake these tasks, fearing a civil war. Third-party actors have facilitated rehabilitation – reintegration of former combatants through civilian programmes for ex-detainees, financing the expansion of the Palestinian Police Force, and training the PPF for counter-terrorism. Yet forcible disarmament and “demobilisation” is unlikely to succeed unless sufficient popular support can be built for such actions.

5.5 Security Sector Reform — The Search for Legitimate Law Enforcement

The reform of “the security sector” (national armed forces, police, internal security forces, judiciary and penal system) is widely seen as a critical step toward long-term security, and an essential element in the post-agreement peace process. Security sector reforms aim at separating external security from internal; placing all armed forces under civilian, democratic control; and reforming the police and the armed forces, through vetting and professionalization, by instilling redefined doctrines and missions, as well as through the establishment of a new legitimate law enforcement, preferably by a civilian police, an independent judiciary and democratic laws. In this context, external support entails for example assistance and training of the reorganised armed forces and security forces, the monitoring of local police, and legal training for the judiciary. Particularly important here is

²⁰⁶ “Hamas joins police”, *Biladi: The Jerusalem Times*, 25 November 1994, p.14.

²⁰⁷ “Hamas Leader Rantisi – Peace Only When Israel Cease to Exist” (Interview with IMRA, 28 December 1997).

monitoring of the human rights performance of the security sector. The degree of compliance with basic human rights can serve an important criterion of success for international assistance in security sector reform.

In the Palestinian–Israeli conflict, the absence of a legitimate and democratic means of law enforcement was a central element in the conflict; the discriminatory laws, law enforcement practises and human rights violations against Palestinians in the Occupied Territories were a major dimension in the conflict, in addition to the dispute over territory. The transfer of most of the populated territory in the Occupied Territories to the PA has contributed to enhancing the legitimacy of law enforcement, yet not to the degree one should expect given the widely unpopular and despised Israeli occupation. There are various reasons for this. As described in Chapter 2, the practises of the Israeli occupation in the Occupied Territories instilled a profound sense of insecurity among Palestinians. These practises have not come to an end despite the partial implementation of the Peace Accords. For example, police brutality still exists on a wide scale; despite various pledges, little has been done to change the behaviour of the Israeli police and security forces. According to human rights reports, “beatings, abuses and degradation of Palestinians by Israeli security force personnel remain a frequent, almost routine occurrence”.²⁰⁸ Improvements here can hardly be imagined without a larger degree of transfer of territory and jurisdiction to the Palestinians themselves. This must be coupled with a thorough reform of the nascent Palestinian security sector to establish truly legitimate and democratic law enforcement. Otherwise, Palestinians are likely to view the new Palestinian Authority as a perpetuation of the Israeli occupation in the guise of an repressive Arafat-ruled *bantustan*.

The point of departure for Palestinian law enforcement and internal security was the Gaza–Jericho Agreement which stipulated that both parties “shall exercise their powers and responsibilities pursuant to the Agreement with due regard to internationally-accepted norms and principles of human rights and the rule of law”.²⁰⁹ The PA “will administer justice through an independent judiciary”.²¹⁰ All legislature is contingent, however, on Israeli consent, and the PA is not allowed to abolish existing laws and military orders without Israeli approval.²¹¹ To enforce law and order, a “strong Palestinian Police Force” should be established. In each district, all members of the four branches of the Palestinian Police shall be subordinated to one central command. Initially, the total recruitment to the PPF should not exceed 9,000 policemen in all its branches. The PPF was allowed to recruit from abroad up to 7,000 policemen, with the rest to be recruited from within the Occupied Territories. Policemen recruited from abroad should be trained as policemen – an important point, since most of them were in fact officers and soldiers of the Palestinian Liberation

²⁰⁸ “Border Guard Brutality” in *Palestine Report* 3 (11) 22 August 1997.

²⁰⁹ *Agreement on the Gaza Strip and the Jericho Area*, Art XIV.

²¹⁰ *Agreement on the Gaza Strip and the Jericho Area*, Art. VI.1.b.

²¹¹ “[L]aws and military orders in effect in the Gaza Strip and the Jericho area .. shall remain in force, unless amended or abrogated in accordance with this Agreement”. See *Agreement on the Gaza Strip and the Jericho Area*, Article XIV.

Army (or the PLA, military units attached to the armies in various Arab countries). The *Interim Agreement* (28 September 1995) allowed for additional recruitment to the Palestinian Police from abroad of until 12,000, as well as additional local recruitment, bringing the PPF up to a maximum of 30,000. **The Oslo Accords did not say much about the powers of the judiciary vis-à-vis the police and security forces. It paid scant attention to the need for a firm legal and institutional framework to restrain such large police and security forces.**

The provisions regulating the Palestinian police force have subsequently been little heeded by the Palestinian leadership. The command structure envisioned in the Gaza–Jericho Agreement was not followed, and a proliferation of competing security services took place outside the control of General Nasser Youssef, the formal head of the Palestinian police. The consequences of competing security agencies on law enforcement were very negative. Police advisors have noted that:

all branches have normal policing powers. It creates problems because of lack of co-ordination between different law enforcement forces .. this means that one person many times and within a short period of time can be arrested and interrogated by different forces within the PPF for the same suspicion and crime.²¹²

The phenomenon of competing security services has on several occasions manifested itself in violent clashes and shoot-outs between various PPF branches. In addition, law enforcement has become “militarised” by the subordinate position accorded the civilian police and the dominance of the paramilitary forces, the security forces and the intelligence agencies. Ever since the beginning of Palestinian Self-Rule, police advisors had warned against this. The inherently military culture of the Palestinian Police Forces stems largely from the fact that the majority of the senior echelon of the PPF are former officers in the Palestinian Liberation Army. Police advisors noted as recently as in 1996 that “much of the work in the different branches tends to be related to military operations, tactics and thinking”. The whole (PPF) was, as one police advisor noted, more committed to being “freedom fighters” than “crime fighters”. As an illustration of this, they cited the “widespread habit among the senior officers to talk about the members of PPF as soldiers and not as policemen”.²¹³ This paramilitary, non-civilian image of the PPF has been reinforced by their carrying automatic weapons (Kalashnikovs), instead of pistols and revolvers, as well as the use of military-green camouflage uniforms.

In addition to the militarisation of the police and security forces, the formal distinction between external and internal security became blurred, almost from the beginning. One reason for this was the lack of housing facilities at the perimeter along the demarcation line between the Gaza Strip and Israel. The Palestinian “border guards” (the public security forces) remained instead in the cities and conducted policing duties there, instead of being

²¹² Interview in Gaza, 1996.

²¹³ Interviews in Gaza and the West Bank, 1996.

deployed along the demarcation lines. Division of responsibility has subsequently improved, but there remain significant overlap of duties, competition and rivalries between the branches of the PPF. All police, security forces and intelligence agencies still conduct their own police operations, including searches and checkpoints, frequently without sufficient co-ordination.

The large police and security forces have developed into a bloated security establishment, operating largely without political or legal restraints. Instead, the heads of the security forces have themselves become prominent political actors in the PA. This pattern of development in a post-conflict setting is not unique to the Palestinian experience but is quite illustrative of the tremendously difficult transition from a revolutionary liberation movement to a state-building administration – even more so in the Arab world, where democratic traditions have been largely absent. Various factors have fostered this trend towards authoritarianism and strengthened the hegemony of the security forces. Since 1994, PLO leader Arafat has been allowed to bring with him a considerable part of his exile constituency to the Self-Ruled Areas, through the estimated 60,000 Palestinians who arrived in the Autonomous Areas either as policemen, PA personnel with families, or other civilians who arrived on “National numbers”. The latter is a *mechanism of return which permits the PA to determine the selection of returnees*, and which has become the only major channel for Palestinian repatriation to the West Bank and Gaza Strip, opened in the framework of the peace process.²¹⁴ These “outsiders” subsequently became a fundamental part of the basis for Arafat’s power in the Territories. The PA’s security apparatus thus came to consist of Fatah loyalists, mainly from the diaspora, who owed their positions to Arafat personally and not to any domestic constituency. This was an ominous development and contributed in part to the authoritarian character of the PA regime. Menachem Klein has correctly noted that the PLO faced a strategic choice between “building the PA, through democratisation and elections which will necessarily create some instability, or strengthening the newly born system by basing its executive power mainly on the police and security services, rather than the civilian authority”.²¹⁵ So far the security establishment has served as the main instrument of power.

Another reason for the dominance of the security apparatus lay in the weakness and inadequacy of the judicial and penal system. The “sister-disciplines” of the police – the

²¹⁴ The PA does not release data on “national numbers” and there appears to be a certain “collusion of Israeli and PA interests” on this issue. Israel has apparently compromised on repatriation to the PA ruled area if it happens via the bureaucratic and unspectacular mechanism which remains hidden from the Israeli media and political pressure groups. The PA has favoured a mechanism of return which permits a selection of returnees according to its immediate interests. The silent selection mechanism of entry/return via PA lists means that the majority of the returnees probably have influential contacts in the PA, and owe their loyalty to the Arafat regime. See Jamal, Manal and Buthaina Darwish, “Exposed Realities: Palestinian Residency Rights in the Self Ruled Areas Three Years After Partial Israeli Redeployment”, Memorandum 4/97 (Badil/Alternative Information Center, Bethlehem, November 1997), pp.24–25

²¹⁵ Klein (1997), p.389.

judiciary and the penal system – were not as quickly established as the Palestinian Police Force. Prior to the Oslo Accords, the Israeli occupation power in the Territories conducted a largely illegitimate system of law enforcement regarding security-related “crimes”. Yet there still existed a Palestinian legal system throughout the Territories which dealt with civil suits and with crimes not of a security nature committed by Palestinians. With the outbreak of the *intifada*, however, this system became virtually paralysed. Activists of Palestinian “strike forces” and other armed groups identified with various Palestinian political factions (Fatah Hawks, Red Eagles, etc.) took it upon themselves to maintain law and order, often in a manner which defied even the most basic standards of human rights. They carried out quasi-police operations aimed at deterring and punishing criminal suspects; they also engaged in the surveillance, interrogation, and punishment of suspected collaborators.²¹⁶ These quasi-legal practises were perpetuated through the empowerment of the Fatah Hawks as a “police force” by the Israeli military shortly after the DoP was signed. This informal understanding with the largest Palestinian underground militias led to the ascendancy of the Fatah Hawks in the Palestinian security establishment. As Be’er, and Abdel-Jawad (1994) and Eid and Felner (1995) have documented, the practises of human rights violations by the Fatah Hawks during the *intifada* period were largely perpetuated by the *Preventive Security Service* who was allowed to operate throughout the Occupied Territories, including the Israeli-controlled areas.

One factor which has contributed to exacerbate lawlessness in PA-ruled areas is the fact that, **according to the Peace Accords, the PA does not have the authority to prosecute collaborators**: they shall “not be subjected to acts of harassment, violence, retribution or prosecution”.²¹⁷ This has prevented the open and transparent prosecution of quislings from the *intifada*, and rendered impossible establishment of Truth Commissions which have been so fundamental to national reconciliation in other post-conflict transitions, especially in South Africa. In the absence of legal channels for dealing with these painful remnants of the *intifada*, hundreds of Palestinians have been illegally detained, tortured, lynched, or extra-judicially executed by security forces, on suspicion of collaboration with Israel.

At the onset of Palestinian Self-Rule, the establishment of an independent Palestinian judiciary was also complicated by the absence of a uniform and consistent legal system. The Palestinians had inherited a complex system of laws and regulations consisting of remnants from the British mandate period, from Jordanian rule in the West Bank and from Egyptian military administration in the Gaza Strip, in addition to Israeli military laws. On top of all that, the PLO still had its Penal Code of 1979, which had been utilised by the striking forces during the *intifada*. The Gaza–Jericho Agreement permitted the 2000 or more military orders issued during the occupation to remain in force, unless abrogated by the Joint Legislative Committee.²¹⁸ However, after his return to Gaza, PLO leader Arafat issued an

²¹⁶ Be'er and 'Abdel-Jawad (1994), p.30.

²¹⁷ Article XVI, *Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip*.

²¹⁸ *Gaza–Jericho Agreement*, Article XIV.

decree abolishing all Israeli military orders, in defiance to the Accord and allowing him greater freedom of action, and fewer legal restraints.²¹⁹

The emergence of an independent judiciary was complicated by the lack of political will to pursue the task of institutionalising power outside the PLO's immediate control. **Thus, the judiciary and the penal system became an appendix to the Palestinian security apparatus, not independent legal institutions.** According to a recent report by the Palestinian Human Rights Monitoring Groups (PHRMG), **the interference of the PA security services in the judicial system has become the most significant human rights issue in the Palestinian territories.** It partly paralyses the judicial system, because judges "can't do their jobs". This practise is fully acknowledged by the security forces themselves. In an interview in January 1998, Head of the Palestinian General Intelligence Service Amin al-Hindi stated, "it is true that the New Attorney General ordered the release of some prisoners, but he changed his mind when we made him appreciate the kind of danger they pose to society. The same applies to courts."²²⁰ The PHRMG cited incidents where persons ordered released by the judiciary are re-apprehended by the security forces, and that security services and prison administration have ignored court decisions; security services have acted in their own interests or in those of friends or relatives who use their pull with security services instead of the legal system; people have been held in prison for years and been tortured, one of them "because a former business partners who owe him money had ties with the General Intelligence and were able to have him arrested and jailed when he entered the country, so they would not have to pay him". The report listed 117 Palestinians held in PA jails for one to three years without charges.²²¹ The PHRMG report does not differ significantly from numerous other human rights reports, all of which paint a gloomy picture of the human rights situation in the Palestinian Self-Rule Areas.²²² The gross abuses of human rights by police and security forces have had a significant impact on the PPF's relationship with the local population. Instead of turning to the police or the courts, people use money and connections to solve their problems instead. Furthermore, **police brutality has on several occasion led to disturbances in the Self-Ruled Areas.** In August 1997 it was reported that:

Relations between the population of Bethlehem and its local police force deteriorated sharply last week after a clash between police and residents which originated in a parking ticket. Suleiman Musa, 39 parked in an unauthorised zone .. he paid the fine but got into an argument with a police officer who struck him. He was then taken to the central police station in the city and badly beaten... He was later admitted to hospital with a head laceration, a broken nose and a bite marks on his shoulder. When members of Musa's family heard about the incident they attacked the police station; officers on duty fled in the face of the enraged mob, while family members smashed the furniture on the station and windows of police cars.

²¹⁹ Usher (1995), p.44

²²⁰ "Guidelines to Security", *Biladi: The Jerusalem Times*, 23 January 1998, p.6.

²²¹ "Security Services Crippling Justice System", *Palestine Report* 3(12), 29 August 1997.

²²² See for example the monthly magazine of the Palestine Society for the Protection of Human Rights and the Environment, *People's Rights / al-Raqib*.

*Officers fired their guns into the air above them from positions on nearby roofs. The brawling went on for hours, at press time, police in Bethlehem were still not walking their regular beats, but staying in the station.*²²³

This is not an isolated incident, but fits into a larger pattern of tense police–community relations, where a significant part of the population do not view the police and security forces as a legitimate instrument for law enforcement.²²⁴ Instead, as Anis Kassem noted already in July 1994, “the Palestinians see the police as [an instrument] serving the Authorities, not the people .. the police are just a tool of the Authorities and work against human rights .. trust between the people and the police has been broken; a fundamental tenet of the law has collapsed”.²²⁵

5.5.1 External Actors and Security Sector Reform

The international community has attempted to address the need for a security sector reform in the Palestinian Self-Rule Areas. The only reference to such assistance in the Gaza–Jericho Agreement, is that “all foreign contributions and other forms of assistance to the Palestinian Police must comply with the provisions of this Agreement” and “shall be co-ordinated through the Joint Security Co-ordination Committee (JSC)”.²²⁶ The Agreement makes no provisions for an international body to supervise the establishment of the Palestinian Police Force, However, donor countries involved in the police sector were formally mandated to monitor and report on the establishment of the Palestinian Police Force through a separate agreement on the establishment of a “Co-ordination Committee of International Assistance to the Palestinian Police Force” (COPP) on 25 March 1994. (See chapter 6).

As opposed to other peace processes where the human rights monitoring has become an integral part of the mission (e.g. ONUSAL in EL Salvador) **the Agreement provided the donor countries with only limited leverage on the Palestinian security establishment. Furthermore, external actors, first and foremost the USA, have attributed overriding importance to the PA’s ability to curb anti-Israeli violence which were seen as threatening to the continuation of the peace process.** In the absence of legal and political restraints in the pursuance of the paramount tasks of “counter-terrorism”, the Palestinian Police Force has developed into a bloated unstructured body of numerous competing agencies with a frequently disparaging attitude to the rule of law and human rights.

²²³ “Clash with Police in Bethlehem”, *Palestine Report* 3 (12), 29 August 1997.

²²⁴ See for example “Voldsomme protester mot palestinsk politi etter dødsfall [Violent protests against Palestinian police after death in custody]”, *Aftenposten*, 1 August 1996, and “200 anholdt etter fengselsopprør på Vestbredden [200 detained after prison riot in the West Bank]”, *Aftenposten*, 4 August 1996.

²²⁵ Anis Kassem, “Palestinian security forces are not above the law”, *Biladi: The Jerusalem Times*, 22 July 1994, p.5.

²²⁶ The JSC became therefore an important forum for exchange of information and co-ordination in the subsequent process of delivery of international security assistance in the Oslo process. See Israel Ministry of Foreign Affairs, “The Gaza Jericho Agreement – Annex I: Protocol Concerning Withdrawal of Israeli Military Forces and Security Arrangements” (signed 4 May 1994), Article III.6.

When the irregularities of the PPF's structure became known among the donor countries in the second half of 1994, they consistently refused to deal with police units outside the framework of the Agreement. At later stages, several donor countries chose to withdraw their assistance to the PPF altogether, largely as a result of the disturbing news of human rights abuses. Other donors saw the abuses committed by the Palestinian security forces as a result of an untrained and poorly equipped police force burdened with tasks beyond its capacity; they believed that "without proper training courage and knowledge, this unprofessional behaviour will continue within all branches of PPF".²²⁷ Undoubtedly, the shortage of resources played a role. **Given the lack of modern police equipment and expertise, it was extremely difficult for the PPF to produce sufficient technical evidence to have suspect convicted in court. Consequently, the PPF became heavily dependent upon extracting information and confessions through interrogation and frequently torture. Moreover, unable to produce sufficient evidence, the PPF began the notorious practise of detaining people without any trial or charge.** (As a further complicating factor, the PPF also received lists of people whom the Israeli authorities demanded incarcerated for "security reasons" but without evidence to be used in court.) The lack of even basic needs for the large Palestinian police force and administration during the early phases of the interim period meant that the penal system was relegated to secondary importance. Palestinian police officers who lived from in-kind gifts from the local population and who lacked housing themselves were not prepared to give priority to prison standards.

The deterioration of the rule of law under the Palestinian Self-Rule was not merely a function of an ill-equipped police and political authoritarianism, however. To some extent, it was condoned by Israel and the donor countries, even though the Oslo Accords explicitly stipulated that an "independent judicial system" should be created, and that international human rights standards should be respected.²²⁸ As long as the PPF succeeded in preventing anti-Israeli violence, the donor community tended to view human rights abuses as a secondary concern since they did not entail the threatening potential of "derailing the peace process". The decisive issue for Israel and, in part, for the international community, has been the PA's performance in "fighting terrorism", i.e. providing security for Israel. This could only be done by allowing the PPF a free hand in cracking down on opposition to the Peace Accords – thereby in turn reducing security and legal protection of ordinary Palestinians. The paramount importance attributed to counter-terrorism strongly influenced the PPF. Police advisors noted, for example, that officers in Preventive Security used to describe their responsibility as "to keep an eye on the opposition". In the wake of suicide attacks in January 1995, Israel and the donor countries, first and foremost the USA, brought heavy pressure to bear on the PA to "fight terrorism", which led to the formation of

²²⁷ Interviews in Gaza and the West Bank, 1996 and 1998.

²²⁸ PLO leader Arafat has been pressured by the donor community to take measures against human rights violators; so far, however, none of the higher echelons (commanders of the police and security forces) have been forced to step down. Interviews.

the notorious State Security Courts in the PA-ruled areas in early 1995. These courts convicted people and imposed long sentences after summary trials.

Donor countries have sponsored a wide variety of efforts to support security sector reform in the Oslo Peace Process. These can be categorised as follows:

- funding of salaries, housing and accommodation, equipment and training programmes for Palestinian police and security forces,
- support for human rights monitoring of both Israeli and Palestinian security forces by local and international human rights groups, as well as sponsorship of low-profile dialogues between Palestinian civil society elements and the security establishment,
- support to legal reform and the building of Palestinian legal institutions, through various “rule-of-law development programmes”.

Funding, equipping, and training of the Palestinian Police Force have been the major contribution of donor countries in security sector reform. Donor countries have had only limited influence on the development of the Palestinian Police Force, however, and their advice, in particular on the organisational structure of the PPF, has not always been heeded. (See Chapter 6.) In view of the tremendous difficulties which have faced the PPF since its establishment in 1994 – lack of training, of communications, vehicles, forensic labs, technical expertise, training facilities – and in view of the weak human rights traditions in the region, foreign police advisors have acknowledged, however, that “the PPF has done a remarkable task in developing the forces”. A police advisor report in 1996 noted “a positive development towards a modern police force”.²²⁹

Both Palestinian and Israeli human rights groups receive generous funding from several donor countries. The presence of intensive human rights monitoring of the Israeli occupation has meant that also the PA has come under heavy international scrutiny for its abuses. This has generated sufficient international pressure on the Palestinian authorities to take action in the wake of human rights abuses, and punish the perpetrators within the security forces. Yet so far, none of the higher-echelon commanders of the police and security forces have been forced to step down, even though it is they who hold the ultimate responsibility. During 1997 several local human rights organisations, in particular LAW and Palestinian Human Rights Monitoring Group, began making public human rights violations by the PA’s security forces.²³⁰ In an attempt to initiate a “critical dialogue” with the police and security forces, conferences, seminars and meetings have been held in order to improve police–community relations, and encourage the security establishment to abide by human rights standards.²³¹ One example of low-profile dialogue with the security establishment,

²²⁹ Evaluation Report, (Gaza, 1996).

²³⁰ See in particular LAW’s *Huquq al-Nas* and *People’s Right* (English Edition), and PHRMG’s *al-Raqib* and *Monitor* (English edition).

²³¹ See for example “Political conference on the role of the Palestinian police force”, *Biladi: The Jerusalem Times*, 10 June 1994, p.3; “Police in Gaza meet with human rights organizations”, *Biladi: The Jerusalem Times*, 29 July 1994, p.2; Arab Thought Forum, “Security Between National Interests and Basic Human

supported by external aid, was a West Bank programme funded by the European Union through the Friedrich Ebert Stiftung (FES) within the framework of an “adult civic education programme”. Through seminars and meetings, representatives from the Palestinian security forces, national and civic institutions and members of the public met and discussed ways of improving the relationship between the security forces and the public. Proposals included the creation of a complaints office in each branch of the security forces, raising public awareness of the rights of citizens and the jurisdiction of each branch of the security forces, and incorporating public criticisms into the functioning of the security forces. The sponsors of such programmes hope that the low profile of seminars and meetings of this kind allows for less politicisation of problems related to the security sector, and may promote more incentives for practical reform.

Donor countries have also attempted to address the need for legal reform and the establishment of legal institutions. To this end, law reform projects and training courses for judges and lawyers have been sponsored. Australia, for example, has supported the creation of a “core group” on legal institution building under the umbrella of the SWG/Institution building. By March 1997 a Sub-Group of the SWG/Institution building and a PA counterpart had been formed with the aim of “devoting specialised attention to the development of the legal sector and the justice sector”.²³² Various activities concern the rule of law; as of July 1997 a total amount of US\$ 72 million in donor and agency funds had been committed, and a total of some 150 activities are completed or still ongoing. These involve some 17 donors and 10 UN agencies, working with Palestinian ministries (Planning, Justice, Interior, and Local Government), the Palestinian Legislative Council, the Judiciary (Palestinian judges and court staff), with independent national human rights institutions, and civil society (Palestinian NGOs). One example here is the “Rule of Law Assistance Project”, aimed at supporting the Palestinian Authority in developing basic legislation, a legal framework, infrastructure, and a trained police force to establish rule of law.²³³ It is uncertain what effect these efforts have had. A report released by UNSCO in July 1997 noted:

*in spite of the completion of as much as 38.8% of planned development activities for the sector, the lack of adequate resources, the desperate conditions for the legal infrastructure, the shortage of trained personnel, and the occupation scarred justice sector, taken together with the new post-Oslo challenges facing the legal sector, have combined to slow measurable impact on the situation.*²³⁴

In terms of the human rights situation, there was some optimism after a slight improvement in the Self-Ruled Areas during 1997, but this development was offset by a worsening human rights record after the crackdown on opposition in April 1998.

Rights – A Symposium Organized by the Arab Thought Forum 23 December 1997” (Jerusalem, Arab Thought Forum, March 1998).

²³² UNSCO (1997), p.3.

²³³ United Nations / World Bank (1996), pp.149–150.

²³⁴ UNSCO (1997), p.14.

Despite all that is said on the negative effects of under-resourced police and legal sector, in the end, security sector reform remains contingent on sufficient political will on the part of the Palestinian leadership to institutionalise the rule of law. **Security sector reform is very much a question about democracy or not – and that is inherently a political, and not a technical issue.** Without sufficient political will to share power, such programmes are likely to have at best limited success.

5.5.2 Security Sector Reforms: Main Points

In sum, a dramatic expansion of the Palestinian police and security services has taken place over the years since the PA established itself in Gaza in the summer of 1994, but this has not been accompanied by the parallel establishment of an independent judiciary, a modern penal system and political check-and-balance system for the bloated Palestinian security establishment. This has in part, led to a deterioration of the human rights situation in the Palestinian self-ruled areas, and made the PA appear repressive and illegitimate in the eyes of the Palestinian populace.

External actors have facilitated security sector reforms through funding, equipping, training programmes, housing etc. for the Palestinian Police Force after its deployment in May–June 1994. Moreover, local and international human rights groups have conducted intensive human rights monitoring. Donors are also addressing the legal and justice sector, through various rule of law development programmes. However, as long as the PA is under tremendous pressure to “destroy the terrorist infrastructure”, and there is a lack of political will on the part of the Palestinian leadership to institutionalise the rule of law, there can be no effective security sector reform in the areas ruled by the PA .

5.6 Supporting Security Co-operation Between the Parties – the Role of the CIA

Security co-operation is one of the core elements in the Oslo Peace Accords. As been outlined in Chapter 3, the security co-ordination mechanisms in the Oslo Accords require a high degree of interaction and co-operation between Palestinian and Israeli security forces and their respective intelligence agencies. Such co-operation arrangements will often be essential in ethnic conflicts where the constitutencies of the parties are largely intermingled.

In the Oslo Process, security co-operation has generally been surprisingly sustained, despite the ups and downs of the peace process. Low-profile intelligence co-ordination has been reported even during political crises of the peace process. Other elements of the security co-operation have not been suspended for long, even after incidents of lethal clashes and pitted gun-battles between Palestinian and Israeli security forces. For example, after the clashes in late September 1996 when Palestinian and Israeli security forces fought each other for days and dozens of soldiers and policemen were killed, the joint Palestinian–Israeli patrols were suspended, but resumed only a month later. After the Har Homa/Abu Ghunaym settlement activities in 1997, the peace process plummeted into one of its worst crises; joint patrols

were suspended, and the Palestinian security agencies declared that security co-ordination with Israel was suspended. Yet one month later, in early April 1997, this policy appears to have been reversed when President Arafat met with Shin Beth officials in the presence of an official from the US Central Intelligence Agency (CIA), and agreed to help Israel prevent suicide attacks.²³⁵ In the autumn of 1997, despite ominous reports that the peace process was “dead”, even after new settlement expansions and suicide attacks, security co-operation does not seem to have broken down completely.²³⁶ There were still meetings in the security co-ordination committees, and joint patrols were conducted. Moreover, joint military exercises were held in which units from the Palestinian police and Israeli army participated and received training in dealing with bombing incidents.²³⁷ A statement by PLO advisor Nabil Abu-Rudayneh during the Hebron clashes in July 1997 illustrate that there was an ongoing security co-operation also when political talks had been suspended:

*..negotiations are suspended, but there are some contacts and some bilateral, trilateral and quadrilateral efforts. Some Palestinian–American contacts led to one or two security meetings.. So there are some contacts but they have not reached the level of negotiations.*²³⁸

Although security co-ordination is clearly affected by crises on the political level, it has nevertheless achieved a certain degree of insulation from the ups and downs of political process. As such, it been a stabilising element in the Oslo peace process.

Yet the security co-operation regime has come under strain due to the impasse in the political negotiations. In such a climate, the Palestinian Police Forces cannot meet all Israeli demands for security co-operation without losing legitimacy in the eyes of its own people. On the other hand, Israel is concerned over the PA’s violations of what it perceives as vital security provisions in the Peace Accords. For example throughout the peace process, the number of Palestinian policemen has exceeded by far the number set out in the Agreements. It has become increasingly difficult for Israel to exert any real control over recruitment to the PPF, although Israel formally has the right to veto new recruits. The PA has recruited numerous policemen locally without informing its Israeli counterparts. Tensions have increased since it became known, in the autumn of 1997, that Israel has begun training special units in preparation for possible reoccupation of the Self-Ruled Areas. This obviously prompted the PA to reinforce its preparations for such a scenario, and increase its own armed forces. At the end of 1997 it became known that the Palestinian security services had begun giving military training to civilian Fatah activists, issuing weapon licenses to them in an effort to increase the military capacity of the PA. Unconfirmed media reports of increased arms smuggling, the acquisition of Stinger surface-to-air missiles and

²³⁵ CNN report 10 April 1997.

²³⁶ *Palestine Report* 2 (22), 8 November 1996.

²³⁷ *Palestine Report* 3 (13), 5 September 1997.

²³⁸ “West Bank: Arafat’s Advisor on Hebron Clashes, Security Meetings: Telephone Interview with Nabil Abu-Rudayneh”, *Voice of the Arabs* 0510 GMT 5 July 1997 (in Arabic) [FBIS-NES-97-186].

anti-tank weapons by the PA's security forces were seen by many as demonstrating the PA's preparedness in case the peace process should collapse completely.

In light of the experience that deteriorating political climate negatively affects the scope for security co-operation, a major deficiency in the security co-operation mechanism has been identified as the absence of a third party "judge" or "referee" to deal with disputed issues and provide arbitration. This need assumed particular urgency in the wake of several suicide attacks in Israel in 1997, when the PA came under heavy criticism for not doing enough to curb anti-Israeli political violence and for refusing to co-operate closely with Israel on intelligence sharing. **In an attempt to bolster the Palestinian-Israeli security co-operation regime, the CIA has begun participating at meetings of Palestinian and Israeli security agencies, and serves as a referee and arbiter between the parties.**

Little public information from these security co-ordination meetings is yet available. It seems clear that the CIA's involvement was already established in the aftermath of the spate of suicide attacks in February–March 1996. PLO leader Arafat was then reported to have "met behind closed doors .. with a delegation of senior CIA officials who exhorted him to capture leading Hamas officials, not just rank-and-file members".²³⁹ Similar CIA involvement has been reported during the deep crisis in the wake of the Har Homa/Abu Ghunaym settlement expansion in Israeli-occupied East Jerusalem. Security co-ordination meetings were held, "apparently ... at the United States' urging .. in the presence of a senior CIA official".²⁴⁰ In the aftermath of the Jerusalem bombing in late July 1997, the CIA's involvement appears to have been established more firmly. *New York Times* reported:

*The Israeli and Palestinian authorities have agreed to report all they have learned about the suicide bombing at a Jerusalem market to a three-way panel whose American representative will be the CIA station chief in Tel Aviv .. The mechanism will in effect allow the United States to serve as referee and arbiter in a dispute that has raged since the bombing on July 30 about whether the Palestinians are doing enough to co-operate with Israeli demands to crack down on suspected Islamic militants.*²⁴¹

A "tripartite panel" existed prior to the Jerusalem bombing, but the CIA role was now being "elevated" to a more permanent position. Following the suicide bomb on 4 September 1997, the CIA was instrumental in making the Palestinian security services draw up a "serious plan to crack down on Islamic militants". According to PLO sources, the Palestinians were prepared to co-operate with Israel on security, but not under Israeli dictates.²⁴² Other press reports indicated that CIA officials were not only helping the parties to resume contacts but were also taking actively part in investigations of the Islamic militants' networks and bomb

²³⁹ "As Palestinians arrest suspected terrorists, few trust their fate to No.18 bus". From Correspondent Jerrold Kessel, 10 March 1996, Jerusalem (CNN)..

²⁴⁰ "Arafat agrees to help prevent militants' attacks", 10 April 1997, Jerusalem (CNN).

²⁴¹ Douglas Jehl, "CIA to Have Role in Inquiry on Jerusalem Bombings", *The New York Times*, 13 August 1997.

²⁴² "Palestinerne gir CIA plan mot terrorisme [The Palestinians give the CIA plan for combatting terrorism]", *Aftenposten*, 14 September 1997.

factories.²⁴³ Prior to July 1997, security meetings between Israeli and Palestinian intelligence officials “have more often taken place away from American eyes”, according to Douglas Jehl in the *New York Times*.²⁴⁴ The USA would appear to have various motives for “making an American intelligence officer a judge as well as a witness to what is actually being shared” in the security co-ordination mechanism. Firstly, this would allow the US administration to insist that its judgements on security co-operation were based on facts and had nothing to do with politics. Second, the new system was also believed to “serve to preempt some of the rancor caused by rival interpretations of Israeli–Palestinian exchanges in which no third party is present”. At previous security co-ordination meetings without a US third-party presence, the parties have often accused each other of bad faith during periods of crisis in the peace talks. Another motivation for the CIA participation in the security co-ordination mechanism was the belief that co-operation on security matters essentially worked best if it avoided politics and politicians: “intelligence-sharing and judgements about it might prove most productive at arm’s length from diplomats and political leaders”.²⁴⁵ The CIA presence might also offset some of the imbalance between the parties and help each the parties to arrive more easily at an agreement on mutual security matters. The CIA’s role in the Palestinian–Israeli security co-operation led to the near conclusion of a trilateral security memorandum in early 1998, but it foundered on Israeli objections to some of the wording in the agreement, in addition to Israeli fears that it would strengthen the USA’s ability to exert pressure on Israeli in security matters.

The CIA role demonstrates a novel way of supporting an ongoing peace process by strengthening security co-operation between the parties during times of crises in political negotiations on implementation of the Accords. In the Oslo Process, it partly fills the vacuum created by the absence of a formal third-party role in facilitating security tasks in the Peace Accords.

5.7 Enhancing the Parties’ Capacity to Curb Political Violence

As already noted, the Oslo Accords rested heavily on the assumption that the PA would be better positioned to put an end to anti-Israeli security. Article XVIII in the *Gaza–Jericho Accord*, “Prevention of Hostile Acts”, is seen by Israel as perhaps the most essential part of the Agreement. This Article stipulates that “[b]oth sides shall take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against each other .. and shall take legal measures against offenders”.

The increase in rejectionist violence on both sides – the Hebron massacre of Palestinian worshippers by an Israeli settler, and the spates of suicide attacks against mainly civilian

²⁴³ See for example “ Hamas Bomb Factory Busted”, *Biladi: The Jerusalem Times*, 16 January 1998, p.1.

²⁴⁴ Douglas Jehl, “CIA to Have Role in Inquiry on Jerusalem Bombings”, *The New York Times*, 13 August 1997.

²⁴⁵ *Ibid.*

Israelis – has proven one of the greatest obstacles to the continuation of the peace process. **Delays in the implementation of the Accords have correctly been attributed to the detrimental effects of the rejectionist political violence on the peace process.** The election victory of a rightist government in Israel in June 1996, openly opposed to the Peace Accords, was mainly a result of a shift in Israeli opinion on the peace process after the suicide attacks of February–March 1996.²⁴⁶ Moreover, anti-Israeli violence has usually been followed by shorter or longer periods of closures, which have had catastrophic effects on the Palestinian economy, and which have threatened to derail the developmental efforts in the Palestinian-ruled areas. **Curbing of rejectionist political violence has thus become a major priority.** During the peace process great efforts have been made by external actors to facilitate the reduction of such violence. Two main approaches can be identified:

- **A “technical” solution:** by providing Palestinian security and intelligence forces with advanced equipment and training for effective counter-terrorism, the Palestinian Authority shall be better capable of fighting “terrorism”. The USA has also transferred advanced anti-terrorism equipment and technology to Israel.
- **An economic solution:** through large-scale development projects the benefits of peace will be demonstrated to the Palestinians. “By improving living standards such aid can help maintain support for the peace process and reduce the discontent on which terrorism breeds.”²⁴⁷

Although information on counter-terrorism assistance during the Oslo Process is scarce, it seems clear that the USA has been the main contributor, both to the Palestinians and to Israel. In the aftermath of the suicide attacks in February–March 1996, it became known that the USA had granted Israel a large package of advanced anti-terrorism equipment and technology, amounting to some US\$ 100. Moreover, intelligence sharing and other counter-terrorism efforts were to be increased. The high-profile Sham Al-Shaykh meeting in March 1996, attended by world leaders like US President Clinton and Russian President Yeltsin, served to focus international attention on “terrorism” as a regional threat – a move welcomed by several Arab states who combat their own internal opposition forces in the name of counter-terrorism. The USA has apparently sought to strengthen anti-terrorism co-operation with Israel, Jordan and Egypt, where the FBI (US Federal Bureau of Investigation) opened new offices in early 1997 during a Middle East tour by FBI Director Louis Freeh, “to fight international crime”.²⁴⁸

In addition to increased co-operation and intelligence sharing on counter-terrorism, several reports indicate that the CIA has been training Palestinian security forces in espionage, information gathering, interrogation and other techniques, perhaps since 1995. According to an Israeli analyst, US police and intelligence officers have supervised the training of

²⁴⁶ Interview with Dr. Mark Heller, JCSS, December 1996.

²⁴⁷ Overseas Development Council, “Britain Announces More Aid for the Palestinians” at <http://www.oneworld.org/oda/press/mar13.html>, dated 13 March 1996.

²⁴⁸ SNS News Service No.717 23 February 1997 at <http://www.snsnews.co.il/>

Palestinian police officers in Langley, Virginia, and at the Philadelphia police department since the spring of 1995.²⁴⁹ Interviews with police advisors also suggest that Chairman Arafat's *Presidential Guard (Force 17)* and the *Preventive Security Service* have long been trained in the USA in counter-terrorism. *The New York Times* has reported that the CIA has been instructing the Palestinians since mid-1996 with Israel's knowledge, and that FBI agents working at the CIA counter-terrorist centre have helped in the training. Another article, published in the *Miami Herald* in March 1998, quotes a US government official who said the CIA has "been training the security forces of the Palestinian Authority in the arts of espionage, information gathering, interrogation and other techniques of the trade". Covert-operation officers, among them FBI agents who work at the CIA's Centre for Counter-Terrorism, "have been instructing senior and mid-level Palestinian security officials in the United States since mid-1996".²⁵⁰ Other reports suggest that Palestinian security services also have been equipped with advanced equipment to enable them to conduct close surveillance of the Palestinian opposition. One example was the transfer of an electronic eavesdropping system capable of monitoring cellular telephone conversations over a range of many kilometres, delivered to the Palestinian *Preventive Security* from US sources.²⁵¹ The entire support programme must be seen as an effort to improve the Palestinians ability to identify and arrest suspected "terrorists" and thereby increase the Israeli government's confidence in the PA.²⁵²

The European Union has also joined the anti-terrorism bandwagon by launching a counter-terrorism training programme for the Palestinian Authority in early 1997. The EU has appointed its own Special Advisor to the Palestinian Authority responsible for co-ordinating various counter-terrorism programmes from EU countries to the Palestinian *Preventive Security Service* in Gaza and the West Bank, and the Palestinian *Military Intelligence*. Activities range from advice on structuring of an intelligence organisation, covert operations, surveillance and eavesdropping techniques to non-violent interrogation techniques and human rights awareness.²⁵³

In addition to the EU and the USA, a host of foreign intelligence organisations are reportedly busily establishing contacts with the fledgling Palestinian Authority by offering various police and intelligence programmes for the Palestinians. Clearly, the Palestinian Authority's intelligence organisations possess information valuable for European intelligence organisations which, since the terrorist bombs in Paris in 1995, have begun to focus more on the potential of "Islamic terrorism" in the European heartland.²⁵⁴

²⁴⁹ "PLA Police: Made In Philadelphia?", *The Mid-East Dispatch: Daily News From Israel* – Issue 410 – 16 June 1997.

²⁵⁰ "CIA helping the PLO police, with Israel's knowledge", *Miami Herald*, 6 March 1998, cited from "Hebcom looks at the Press" by D. Abu Sami, *Dispatch from Hebcom Middle East Bureau*, 23 March 1998.

²⁵¹ *The Mid-East Dispatch*, 29 December 1997 (<http://www.iipub.com/>)

²⁵² *The Mid-East Dispatch* <http://www.iipub.com/> citing *Kol Israel* 5 March 1998.

²⁵³ Interviews in the West Bank April 1998. Names withheld on request.

²⁵⁴ Lia (1998b)

A better-equipped, well-trained PPF will be more efficient against “terrorists” by pinpointing the actual perpetrators instead of arresting scores of innocent people and mistreating them – as often happened, according to human rights groups. The gradual decline of anti-Israeli terrorism since 1996 might indicate greater PA capacity to curb such activities. **If the counter-terrorism programmes have been efficient in bolstering the PA’s capacity in “fighting terrorism”, they have also consolidated the ascendancy of a security-led vision of the peace process, in which Palestinian demands for rule of law, democracy and legitimate opposition have been more or less sacrificed in order to ensure maximum security for Israelis.** The implications of this vision are increased insecurity for individual Palestinians who suffer abuses under an unaccountable and repressive Palestinian security establishment. In the long run, increasing Palestinian discontent with the PA regime may prove as damaging to the peace process as anti-Israeli attacks. The solution to terrorism is rarely a technical one. If Palestinian demands for political, civil and national rights are not addressed, there will never be a 100% guarantee against political violence by rejectionist groups.

5.7.1 Is There a “Security Dividend” of Humanitarian and Development Aid? Foreign Aid and Palestinian Rejectionism

Efforts to enhance the parties’ ability to curb rejectionist violence through technical support and training have arguably been marginal in size compared to the huge *economic* assistance packages designed to support the Mideast peace process.

On 1 October 1993, shortly after the Israeli–PLO Declaration of Principles had been signed, representatives of the PLO, Israel, the World Bank and 40 donor countries and institutions met in Washington, DC, in an effort to ensure economic support for the peace process. At the so-called *Conference to Support Middle East Peace* donors pledged some \$2.4 billion over five years in support of Palestinian self-government and the peace process. Another donor conference took place in Paris in 18–19 October 1995 in the wake of the signing of the *Interim Agreement* which provided for the extension of Palestinian Self-Rule in the West Bank. The Paris Conference was attended by 29 donor states and ten international organisations with the declared aim to develop a renewed programme of assistance. In December 1997 a donor conference in Paris made new pledges of financial support for the Palestinian Authority; a total of US\$ 3.5 billion was offered over the next three years.²⁵⁵ The donor meetings and pledges sent a political message of the international community’s support and commitment to the peace process, or as the co-sponsors stated: “first and foremost show support for a comprehensive settlement in the Middle East and for the Israeli–Palestinian Declaration of Principles.”²⁵⁶ It aimed at “creating tangible benefits for Palestinians in the West Bank and Gaza, thereby generating support for the peace

²⁵⁵ *Palestine Report*, 19 December 1997.

²⁵⁶ “Co-Sponsors’ Summary”, Conference to Support Middle East Peace, 1 October 1994.

process.”²⁵⁷ **Underlying these pledges of funds for the Palestinian Self-Rule was the belief that economic progress and development would foster peace and reconciliation, in short to demonstrate that “peace pays”.**

A basic assumption here was that Palestinian economic development was of paramount importance to increase Palestinian support for the Peace Accords, and that increased aid would contribute to implementation of the Accords. Likewise, it was feared that “lack of success on the economic front and subsequent disillusionment/frustration .. could lead to security problems”.²⁵⁸ Only weeks after the DoP was signed, the UN Refugee and Work Agency, for example, launched a comprehensive “Peace Implementation Programme (PIP)” which included a host of immediately-implementable projects for Palestinian refugees and displaced persons to “provide tangible evidence to the refugees that their situation had not been forgotten”.²⁵⁹ This line of thought is illustrated by the statement of the UN Special Coordinator to the *Financial Times* after the Brussels donor meeting in November 1994: “If there is no food for the children and no heat for the winter, who would support the PA and the peace process?”²⁶⁰ **Through building support for the peace process, the aid, it was assumed, would also undermine popular support for the opponents to the Oslo Accords, in particular the Islamist movements in the Occupied Territories.** When announcing the convening of the Washington donor conference in October 1993, US Secretary of State Warren Christopher stated that “we must take immediate steps to address the high unemployment rate that robs families of hope and fuels extremism in the West Bank”.²⁶¹ In the aftermath of the conference, *The New York Times* reported that the international aid was intended to:

*provide tangible evidence that the accord will improve the lives of the Palestinians in the occupied territories and defuse the attraction of groups like Hamas, the Islamic militant organization. ... American and Palestinian officials agree that it is important that the Palestinians feel quick economic gains to help defuse militancy in the Gaza Strip and West Bank. 'Any improvement in the economic situation will be felt by Hamas too', Yousef Sayigh, a senior economic advisor to the PLO said at a seminar here on Tuesday. 'They have to feed their children, too'.*²⁶²

²⁵⁷ Palestinian Development Infonet, “Development Assistance to the West Bank and Gaza: An Overview” (Updated March 1997) (<http://www.arts.mcgill...pp.pdin/poverview.html>), p.1.

²⁵⁸ Dr Mark Heller, JCSS at “‘Gaza–Jericho First’ – Implications and Ramifications”, Seminar at the Notre Dame Centre in Jerusalem, organised by The Israel/Palestine Center for Research and Information (IPCRI), 13 September 1993.

²⁵⁹ “The Refugee Working Group: One Year Later”. Notes for Remarks by Marc Perron, Assistant Deputy Minister (Africa & Middle East) Department of Foreign Affairs and International Trade to the Institute for Social and Economic Policy in the Middle East, John F. Kennedy School of Government, Harvard University, 24 February 1995, at <http://www.art.mcgill...ocs/peronharvard95.html>

²⁶⁰ Usher (1995), p.65.

²⁶¹ Address by Warren Christopher at Columbia University, 20 September 1993, quoted from Brynen et al. (1998), p.1.

²⁶² Stephen Greenhouse, “Palestinians to get \$2 billion in pledges of aid for Self-Rule”, *The New York Times*, 30 September 1993.

This conviction largely persisted throughout the peace process. “By improving living standards such aid can help maintain support for the peace process and reduce the discontent on which terrorism breeds”, read a statement from the British Overseas Development Council, announcing increased economic support for Palestinian Self-Rule after a spate of suicide attacks in February–March 1996. In short, **the general assumption was that “economic development equals security”**, and this became the point of departure for the donor community.

For various reasons, this assumption was never really put to the test. Despite all aid efforts, Israeli closure policies led to a dramatic deterioration in the Palestinian economy. According to UNSCO’s quarterly reports, there had been a decrease of c. 36% in real GNP per capita in the West Bank, and 34% in Gaza, in the period 1992–1996.)²⁶³ As long as the borders remained open, there was a “substantial improvement of the Palestinian economy”, but the closures imposed by Israel, especially the prolonged closures imposed in February 1996, have had a devastating effect, depriving the Palestinians of some \$4–6 million a day.²⁶⁴ The impact of donor aid was diminishing as a result of Israeli closures.²⁶⁵ As the World Bank noted in late 1997, “the political conflict has undermined the Palestinian economy and blunted the efforts of donors.”²⁶⁶

Palestinians in the Territories had nurtured high expectations of improved welfare. A September 1993 poll showed that 65.4 % of Palestinians in the Occupied Territories believed the Palestinian–Israeli agreement would improve economic conditions in the West Bank and Gaza.²⁶⁷ The much-publicised donor conference in Washington, where billions of dollars were pledged, greatly contributed to exaggerated expectations. By June 1994, however, when the sobering reality of economic decline had begun to dawn upon the Palestinians, only slightly more than a third of them felt that the peace process would improve their economic situation.²⁶⁸ Needless to say, there was great disenchantment about the lack of economic benefits after Oslo. As Derek Fatchett noted in January 1998, looking back at almost five years of development efforts in the Palestinian areas: “the economic ‘fruits of peace’ many experts predicted would flow from the Oslo agreement in 1993 must now seem like a cruel irony to the Palestinians”.²⁶⁹ According to political science theories on revolutions, such a coincidence of **high expectations of rapid socio-economic**

²⁶³ UNSCO, *Quarterly Report: Economic and Social Conditions in the West Bank and Gaza Strip*, April 1997. (<http://www.art.mcgill.ca/mepp/unesco/>).

²⁶⁴ Lecture by former UN Special Co-ordinator in the Occupied Territories, Terje Rød-Larsen, April 1997.

²⁶⁵ According to the 1997 Palestinian Economic Policy Research Institute – World Bank Report, the total cost of Israeli imposed closure and permit policies on the Palestinian economy was some US\$ 284 mill in 1993, rising to \$945 mill in 1996. Hooper (1998b), p.65.

²⁶⁶ Brynen et al. (1998), p.4.

²⁶⁷ Center for Palestine Research and Studies (CPRS), “Public Opinion Poll, 10–11 September 1993”.

²⁶⁸ Center for Palestine Research and Studies (CPRS), “Public Opinion Poll, 30 June 1994”, at

<http://www.cprs-palestine.org/polls/>

²⁶⁹ Derek Fatchett, “How the EU can work with Israel to help the Palestinians”, *Biladi: The Jerusalem Times*, 6 February 1997, p.5.

improvement and a real socio-economic decline are factors contributing to a situation ripe for revolution. Throughout the latter part of 1994 this became increasingly the concern of donors and parties alike. Throughout the peace process, especially during times of crisis, there continued to be an outspoken fear among donor countries that the PA might collapse.²⁷⁰ Thus, rather than demonstrating the benefits of peace, the aims of international aid efforts were soon reduced to ensuring the PA's survival. Gradually, the survival of the PA became a fundamental priority, even if more and more of the Palestinian populace began to disagree with the PA's policies, especially on its harsh and at times very brutal suppression of its own dissidents and opponents to the Peace Accords in the Self-Ruled Areas.

The increasing unemployment due to prolonged closures had the paradoxical side-effect of actual enhancing the power of the Palestinian Authority, by making its administration and security apparatus the main employer for Palestinians in the West Bank and Gaza. International funding enabled the PA to expand rapidly, becoming the largest single employer in the Occupied Territories.²⁷¹ With the support of donor money, the PA administration has been able to offer its employees and policemen significantly "better working conditions" and "a higher average gross wage level than the private sector".²⁷² Although the West Bank was generally much better off than the impoverished Gaza Strip, rising unemployment provided the PA regime with a powerful vehicle for patronage throughout the Territories, enabling it to "buy off" its or co-opt a large number of opponents by offering them and their relatives positions within the PA administration. Yet in the absence of democratisation and progress in peace talks with Israel, this has not done much to improve the legitimacy of the PA in the eyes of those who did not benefit from employment in the PA.

In addition to providing direct budgetary support to the PA, donor countries have attempted to address discontent with the Peace Accords more directly through work-generation programmes, a particular focus for donor efforts in the West Bank and Gaza since 1995. A co-ordination group on employment creation (SWG/Employment Creation)

²⁷⁰ In the aftermath of the November 1994 clashes in Gaza where dozens of Palestinians had been shot by the Palestinian police, there was considerable anxiety that the stability of the PA could be at risk. There were also fears of the collapse of the PA prior to the donor conference in Washington in September 1996 after months of Israeli-imposed closures. The UN Special Co-ordinator warned against the possibility of PA collapsing financially if it did not receive immediate and substantial economic backing. In the wake of Israel's decision to withhold Palestinian funds in summer 1997, an European Union official stated: "If the peace process is to be kept going, we have to help to keep the Palestinian Authority alive." See *Middle East International*, 12 September 1997, p.10, and "Ihtimal inhiyar al-Sulta al-Filastiniyya iqtisadiyyan ma lam tahsul 'ala da'm mali 'ajiz min al-manihin", *al-Hayat*, 5 September 1996, p.1

²⁷¹ Public-sector employment has steadily increased throughout the peace process. The number of Palestinian employees in the Israeli Civil Administration in 1993 was merely 22,000. At time of the Cairo Agreement, the public sector employed some 35,000 persons. In autumn 1995 public sector employment stood at about 49,000, rising to about 75,000 by the end of 1996; by mid-1997, some 82,000 persons were employed by the PA, excluding short-term job creation programmes. Hooper (1998b).

²⁷² Grimsrud (1997), p.10.

was established in January 1995 in the wake of increased restrictions on the movement of Palestinian labourers into Israel. The SWG focused on employment creation proposals in the Gaza Strip, emphasising priority projects which could rapidly absorb unskilled labour and produce a distinct visual impact. According to a UN report, some US\$ 30 mill were committed over the following months to the creation of nearly 5,000 jobs ranging from a period of one month to one year. Subsequent programmes launched during the protracted closure imposed in February 1996 brought the number of short-term jobs to nearly 14,000 in the West Bank and Gaza.²⁷³

These programmes served as a **crisis management tool during the peace process by mitigating the worst humanitarian effects of the political conflict between the parties.** As such, they played an important *political* role by making it easier for the parties to continue peace talks despite suicide attacks and the imposition of closures. There is no evidence, however, to suggest that these measures actually contributed to undermine the recruitment to the radical Islamists, and lessen the chances for armed operations against Israeli targets. As far as is known, none of these programmes were targeted towards potential Izz Al-Din Qassam recruits. If all reports of Iranian and foreign funding for the Palestinian Islamists are true, there are no reason to believe that the Islamists and their constituencies would be let themselves be “bought off”.

It was perhaps a fallacy to assume that by improving the Palestinian economy and by creating development projects in the Palestinian areas which could demonstrate the “benefits of peace” to the Palestinians, Palestinian militancy would somehow be reduced, and there would be fewer anti-Israeli attacks. This “economic development equals security” argument was largely at odds with what is known of political violence and terrorism; a study on terrorism in Europe notes for example that “economic factors appears to play a subordinate role [in ethnic terrorism]”.²⁷⁴

The economic development argument was criticised by several observers. Dr. Eyad al-Serraj noted that the DoP and the subsequent donor conferences were “an economic package that attempts to solve a political problem”.²⁷⁵ The development efforts were aimed at “buying peace”, as one observer put it.²⁷⁶ One scholar pointed out that, also in the past, attempts had been made at resolving the Palestinian–Israeli conflict, in particular the Palestinian refugee problem, by economic and financial inducements, such as the United Plan for Jordan Valley Development in 1950s, which aimed at improving conditions for the Palestinian refugees through economic development activities. These schemes all proved unsuccessful because “they were based on a series of false premises, including the assumption that if

²⁷³ United Nations / World Bank (1996), p. 79.

²⁷⁴ Engene (1994), p. 239.

²⁷⁵ Eyad El Sarraj, “The PLO–Israeli Handshake: A View from Gaza” (1994)

²⁷⁶ Brynen (1996b): 79–92.

economic issues related to the Palestinian refugees could be addressed .. the political dimension of the conflict would be more easily resolved".²⁷⁷

From a Palestinian perspective, these international aid efforts demonstrated the international sympathy with their cause and the legitimacy of their national demands. But if the international aid programmes were interpreted as an inducement to compromise on their cause, to give in on their fundamental and legitimate rights, most Palestinians would naturally protest. The headmaster of a Ramallah school, for example, alleged in the wake of the Oslo Accord: "People are trying to buy us off .. Here, take these millions of dollars and shut up! These pay-offs will not bring us a state, or a two-state solution".²⁷⁸ Many Palestinians seemed to feel that their leadership was selling their land in return for international funds, a feeling nourished by scandals of corruption and embezzlement in the PA administration. Commenting upon the December 1997 donor conference in Paris when a further US\$ 3.5 billion was pledged for Palestinian Self-Rule, a Palestinian newspaper remarked, "with the recent uncertainty surrounding the scope of the Israeli redeployment, Arafat will have to answer to his people, for he is gambling with territory which he has previously promised them".²⁷⁹ Other Palestinians, like Dr. Jirbawi at Bir Zeit University, have been deeply sceptical to the foreign aid efforts, not only because their "underlying objectives that are detrimental to Palestinian society at this point in time", but also because of the "culturally disrupting effects" of "foreign sources [which] have specific, limited, and dangerous penetrating dimensions for our society".²⁸⁰ Whatever significance one wishes to attribute to these observations, it is clear: that there was no wholehearted and unanimous Palestinian embrace of international aid efforts; rather, there was scepticism towards the underlying objectives of foreign funds, also outside the ranks of the Islamic militants.

Adding to this scepticism was the fact that, unlike other peace processes where both parties are in need of international assistance for reconstruction, development and humanitarian purposes, **international assistance in the Oslo Peace Process was aimed primarily at only one of the parties to the conflict.** Hence, development and humanitarian assistance – although admittedly providing some benefits to Israel by "stabilising the self-ruled areas" – could not be readily used to induce *both* parties to closer co-operation or to make political concessions. Or as the Israeli analyst Mark Heller noted in *Jerusalem Post*, "if [the Europeans] believe that giving money to the Palestinian Authority buys them a license to lecture Israel .. they shouldn't be surprised if the result .. is counterproductive".²⁸¹ Indeed,

²⁷⁷ Gerner (1994), pp.132–133. The same line of reasoning can be found in mainstream Turkish thinking on the Kurdish conflict where improvement of "the Kurdish region's economic and social living conditions is viewed as *the* mechanism to solve the conflict peacefully". See Beriker-Atiyas, Nimet "The Kurdish Conflict in Turkey: Issues, Parties and Prospects", *Security Dialogue* 28 (4) (1997), p.449.

²⁷⁸ Interview with Khalil Mashhi in *Middle East Report*, January–February 1994, p.11.

²⁷⁹ *Palestine Report*, December 19, 1997.

²⁸⁰ Abu Lughoud et al. (1995), p.20.

²⁸¹ Mark Heller, "Europe's example", *Jerusalem Post International Edition*, 28 March 1998, p.12

the continued large-scale US assistance packages to Israel irrespective of progress or setbacks in the peace process nourished the belief that the donor money was meant primarily to “buy off” the Palestinians.

The effectiveness of international aid as a *conflict moderator* has been questioned in recent literature.²⁸² Mary Anderson has pointed out that the impact of assistance in conflict settings “is circumscribed and limited by a range of factors outside the control of the aid providers”. Moreover, “aid provided in conflict settings has, as by products of its intended goal, either negative or positive impacts on the conflict itself”, but unfortunately “very often negative in that it feeds into and exacerbate suspicions and tensions”²⁸³ Milton Esman has argued that many interventions by aid agencies “have *distributional effects* that generate or aggravate ethnic conflict, as one community is perceived by its rival to be benefiting at their expense”. Economic growth theorists are at fault, he writes, when they argue that the best hope for mitigating conflict – class conflict or ethnic conflict – is a vigorous expanding economy that permits the distribution of increments of growth to all competing communities. In sum, Esman argues “**there is hardly any convincing evidence to support conventional wisdom that economic growth necessarily diminishes conflicts.** Many ethnic conflicts have nothing to do with economic considerations”.²⁸⁴

Within the Palestinian community there is little doubt that the influx of international aid money during the Oslo Peace Process had *significant distributional effects*. Although the primary intention was to create growth in the Palestinian economy, this assistance was also intended to bolster the Palestinian Authority. Within the Palestinian community the increased international aid contributed to cement new divisions, created by the return of the PLO leadership from Tunis and tens of thousands of other PLO exiles. Unlike the case in other revolutionary movements, the PLO leadership had not led the Palestinian Uprising themselves. After the Oslo Accord, the new Palestinian elites, who had established themselves during the years of the *intifada*, gradually found themselves being replaced and marginalised by PLO returnees and its local allies among the old and wealthy families. The upper echelons of PA’s security and police forces, for example, were almost completely staffed by returnees and outsiders.²⁸⁵ Control over the international donor money became a fundamental element in the new regime’s power, especially after the donor countries agreed to channel funds to budgetary support for the PA, and the largest portion of aid to institutions affiliated to the PA. Thus, important sections of the Palestinian elite which came to the fore during the *intifada*, including the Islamists, were now excluded from power and positions under the Palestinian Authority’s rule.²⁸⁶ This was a particular blow to the Palestinian Islamist movement whose power, influence and prestige had been on the rise

²⁸² See for example Anderson (1996); Esman (1997), Bradbury (1995), Macrae and Zwi (1994).

²⁸³ Anderson (1996), pp.4, 54.

²⁸⁴ Esman (1997).

²⁸⁵ Klein (1997).

²⁸⁶ Robinson (1997), pp.174–181.

since the eruption of the *intifada* in the late 1980s, and who were now effectively sidelined by what they perceived as Arafat's *coup d'état* in August 1993. It was thus not surprising that the Hamas and its allies would strongly resist the PLO's accord with Israel. On the Palestinian scene Hamas' political violence or "armed operations" had a clear political message. As Danny Rubinstein in *Haaretz* observed shortly after Oslo:

*Hamas' terrorist activities contain two main political messages. The first to Arafat and the PLO – is do not dare to ignore us; the second – to the State of Israel – is that negotiations with the PLO do not constitute the final word and that Hamas must also be taken into account.*²⁸⁷

In the Oslo Process it can be argued that **political violence by Palestinian rejectionist groups had less to do with economics and economic deprivation, and more to do with the established political norms of behaviour, as well as intra-Palestinian competition for power.** For several decades the right to resist occupation, even through attacks on Israeli civilians, had been a legitimate norm of political action. It was thus the PA, and not the Islamist opposition, which had to convince Palestinian public opinion of the need to revise established legitimate norms. Contrarily to popular writings on Hamas, it appears that Islamic political violence was less clearly intended to "derail the peace process"; the Hamas movement on several occasions signalled its readiness to become a political party, and "temporarily abandon armed struggle".²⁸⁸ Moreover, Hamas agreed to suspend "armed operations" prior to the conclusion of the *Interim Accord* in 1995 in order not to prevent Israeli territorial withdrawals. Many of their so-called armed operations were undoubtedly more motivated by the desire to avenge "Jewish terrorism" such as the Hebron massacre (the Afula suicide attack in April 1994 was clearly a retaliation), or the assassination of Islamist leaders by Israeli undercover units.²⁸⁹ In March 1996, Islamic Holy War offered a truce if Israel would promise to remove their leaders from "the death list".²⁹⁰

In this light it may be argued that the major reasons for rejectionist violence lies not in the absence of economic improvement, but simply in the lack of sufficient consensus building on the Peace Accords. **There was no referendum on the Peace Accords in 1993 among the Palestinians.** Moreover, there was a **lack of political pluralism in the PA, inhibiting any significant co-optation of moderate Islamists.** Clearly, anti-Israeli terrorism, particularly the suicide operations, are not merely an expression of opposition to the peace process, but also a part of the Islamists' rejection of Arafat's rule. As most opportunities for opposition politics in the PA-ruled areas have been blocked, and as any inter-Palestinian in-fighting would be immediately condemned by the Palestinian public as "fratricidal war"

²⁸⁷ Dani Rubinstein in *Haaretz*, 21 December 1993, cited from Usher (1997), p.334.

²⁸⁸ See in particular Usher (1997).

²⁸⁹ In late 1994 suicide attacks followed the murder of Islamic Jihad leader Hani Abed, believed to be killed by Israeli secret service, and the quadruple suicide attacks in February–March 1996 were a retaliation of the murder of the *Izz al-Din Qassam* leader Yahya Ayyash in January 1996.

²⁹⁰ See "Palestine: 'Izz al-Din al-Qassam Statement on Disarming Detailed'" Paris AFP in English, 1424 GMT 6 March 96 (FBIS-TOT-96-011-L).

instigated by Israel, this has left the Islamists with the option of conducting anti-Israeli attacks to demonstrate their opposition to the status quo.²⁹¹ This once again points to the central importance of security sector reform and legitimate law enforcement in the peace process, because these have the potential to reduce recourse to violent means on the part of the militant opposition by guaranteeing open political channels for non-violent expression.

5.8 Negotiations on Arms Control and Regional Security

Arms control and regional security arrangements are indispensable components of a long-term consolidation of a peace settlement, because they serve to enhance the parties' confidence in the peace process and address important security concerns. Third-party actors can facilitate this process by offering mediation in a negotiations process, assist with technical assistance for the creation of arms control regimes, offer security guarantees for a certain regional security order, and promote military co-operation between former adversaries. A more controversial approach is to offer military assistance in a way that establishes a certain balance of power in the area, on the assumption that this will deter the parties from future warfare. As noted in our Analytical Framework security assistance is often at odds with *arms limitation*.²⁹² Rather than reducing the arms in a conflict area, security assistance has also taken the form of supplying weapons to one or more of the parties to the conflict. Yet this may also serve to build a framework for an arms control regime by creating a balance of power between the parties and by linking the parties' military forces to external parties and agreements. Third parties may also pursue counter-proliferation policies aimed at preventing states from acquiring vital weapons technology, in particular weapons of mass destruction and long-range missile technology, in order to maintain a balance of power more conducive to the continuation of the peace process.

The USA and other Western countries have offered military assistance to several Middle Eastern countries. Although most of these transfers are motivated mostly by economic concerns, the US security assistance programmes to Israel and Egypt in the wake of the Camp David Accords have undoubtedly helped to integrate the two countries into a security regime. Israel has benefited greatly from the fact that the USA has acted as a protector of

²⁹¹ One example of the public reactions of Hamas and its military wing the Izz al-Din Qassam Squads shortly after two Hamas activists had been detained by Preventive Security Service (PSS), and later abducted, apparently in collusion with the PS, by a special IDF unit on 13 November 1997. Although Hamas spokesmen held the PA "fully responsible for this disgraceful act of perfidy" and the Izz al-Din Squads vowed that they "will respond sooner or later to Rajoub's [head of PSS] disgraceful act", they nevertheless declared that "our response will be human bombs against the Zionist enemy". Following this argument, one can assume that the PA's harsh treatment of its Islamist opposition may well galvanise them into more anti-Israeli actions, since such operations portray them as the only force capable of inflicting substantial damage on the omnipotent enemy of Israel and at the same time relegate the PA to the humiliating role as a client and servant, who is punished (through closures etc) by Israel for its neglect in suppression the opposition to the Oslo Accord. See "Hamas-PA relations troubled again", *Palestine Times*, December 1997, pp.1,15.

²⁹² Lia and Hansen in Hansen et al. (1997), p.31

its security in the region, and as a guarantor of an Israeli qualitative edge over any Arab military force in the region.²⁹³ After the Oslo Accords, the USA has used its military assistance programme to Israel in a way to reward Israel for making peace. In the wake of Oslo, the Rabin government expected third-party benefits from the USA in terms of “arms for peace” military assistance packages to offset what it perceived as “the security risks [it] had incurred in the Oslo accord”. Shortly after the Washington handshake in 1993, the Rabin government secured US support for the acquisition of an advanced export model of the F-15 fighter bomber capable of reaching Tehran, as well as sophisticated computer technology, previously blocked by the Pentagon.²⁹⁴

It is debatable, however, whether US military assistance to Israel in general should be seen as peace implementation assistance to enhance the Palestinian–Israeli peace process. Over the years, many analysts have argued that the US failure to put significant pressure on Israel, for example by reducing the massive US military aid to Israel, has strengthened Israeli intransigence and contributed to prolong the conflict. Nor are the net results of such military transfers easily discernible. The disparate perceptions of security threats in the region make security assistance to one of the parties in the form of arms transfer, a source of increased insecurity for others. Furthermore, search for a military balance of power in the region is greatly complicated by the fact that Israel sees threats to its external security from a combined military force of several Arab countries and Iran, while the Arab countries bordering on Israel (Syria, Lebanon, Jordan and Egypt) see their external security threatened, not only by Israel, but also by neighbouring Arab states and, especially in the case of Syria, from Turkey. This necessarily makes a regional security system based on balance of power unlikely to succeed.

Arms control and regional security have not been in the forefront in the current Mideast peace process, which has been dominated by bilateral Palestinian–Israeli negotiations in which arms control has not been an issue so far.²⁹⁵ The Israeli side has viewed the current peace process as a stepping-stone to regional integration and an end to isolation and economic and political boycott in the Arab world. At the beginning of the peace process it was hoped that resolution of the Palestinian–Israeli conflict would produce, as by-product, a diminished threat from regional great powers, mainly Iran and Iraq, since these powers could then no longer mobilise Arab opinion against Israel by “using [the Palestinian issue] as a rallying cry for their own strategic purposes”.²⁹⁶ The link between normalisation of Israeli

²⁹³ This has included not only close military co-operation and arms transfer, but also intensive US counter-proliferation efforts in the Middle East, first and foremost to prevent Iran and Iraq from obtaining weapons of mass destruction. See for example “US Presses Russia on Iran and Missile Act”, *The New York Times*, 9 March 1998.

²⁹⁴ Makovsky (1996), p.121.

²⁹⁵ The obvious reason for this is that the Palestinian side represents no conventional (or non-conventional) armed threat to Israel. However, issues related to arms control and regional security will certainly emerge during the final status talks, when the status of the Palestinian “entity” will be decided, including the size and armament of its armed forces and the possibility of military alliance with other Arab countries.

²⁹⁶ Makovsky (1996), p.111.

relations with the Arab world, and the Palestinian–Israeli peace talks, has been an important one. When the Palestinian–Israeli peace process has stalled, Israel’s Arab neighbours have been extremely reluctant to expand *any* kind of co-operative arrangements with Israel, let alone sensitive military-political co-operation in arms control and regional security. This has implicitly given the Palestinian side the power to veto or at least significantly influence Arab–Israeli rapprochement.²⁹⁷

Dialogues for the discussions of regional security have emerged on at least two levels since the beginning of the current peace process in the Middle East. The DoP contains a reference to an initiative by the Palestinian and Israeli sides “to invite the Governments of Jordan and Egypt to participate in establishing further liaison and co-operation arrangements”.²⁹⁸ This was contingent on a peace accord between Israel and Jordan, which was signed in the autumn of 1994. This allowed the first tripartite meeting on regional security between Egypt, Jordan and Israel to take place on 4 January 1995 in Eilat, Israel, where the parties met to discuss the problem of cross-border infiltration.²⁹⁹ Both Jordan and Egypt have committed themselves through signed peace accords to co-operate with Israel on common security matters.³⁰⁰ The Israelis have in particular favoured a closer security co-operation with Jordan. In February 1997, after King Husayn of Jordan personally intervened to secure the successful conclusion of the Hebron Protocol, Israeli Prime Minister Netanyahu expressed optimistically, perhaps overconfidently, his hopes that a defence pact between Israel and Jordan could be concluded in the near future.³⁰¹

An important forum for the discussion of regional security and arms control in the current peace process was created at the Madrid Conference in October 1991, when the working group on Arms Control and Regional Security (ACRS) was formed as a part of the multilateral tracks.³⁰² Although the success of the bilateral tracks of the peace process is fundamental for achieving peace and stability in the region, the multilateral tracks have been deemed critical to securing Arab–Israeli stability in the long term, since many issues that

²⁹⁷ The latest example of this is the refusal of several Arab states, including Egypt, to attend the MENA conference in Doha, Qatar in the autumn of 1997 because of lack of progress in Palestinian–Israeli negotiations.

²⁹⁸ Article XII in DoP.

²⁹⁹ *Journal of Palestine Studies* 24 (3) Spring 1995, p.119

³⁰⁰ This implies that during crises in the peace process Egypt and Jordan have not cut off their contacts with Israel. For example, in the aftermath of the Har Homa settlement expansion in the spring of 1997, Egypt held a military liaison meeting with Israel to discuss merchandise, drugs and possible arms smuggling between Egypt and Gaza via underground tunnels. “Peace Monitor”, *Journal of Palestine Studies*, 26 (4) (Summer 1997), p.133.

³⁰¹ Netanyahu was quoted as saying that “the possibility of a formal defense pact between the two countries is a real one, but it requires more discussion”, *Middle East Times*, 16–22 February 1997, p.6.

³⁰² The multilateral track consists of a steering committee, which co-ordinates the multilateral talks and sets dates and venues for the five working groups (refugees, water, arms control, regional economic development and environment). As opposed to the heavy media focus on the bilateral peace talks, the multilateral talks remained peripheral. Originally, the sponsors of the peace conference in Madrid did not think of the multilateral tracks as essential to the peace process. In fact, the primary aim of the multilateral tracks was to convince the Israeli right-wing prime minister Shamir to participate in Madrid. Kaye (1997), p.173.

threaten regional stability cannot be addressed solely on a bilateral basis. This is especially true for issues related to regional security and arms control.³⁰³

The history of the ACRS talks can be divided into several phases: establishing the ACRS process in 1992, including a definition of an ACRS work agenda; the discussion and negotiations on regional arrangements; and finally, the breakdown of the process in 1995–96. The first multilateral organising session in the ACRS took place on 29–30 January 1992 in Moscow.³⁰⁴ It was attended by 11 Arab states (excluding Lebanon and Syria), Israel and numerous extra-regional parties, such as EU, Japan and Canada.³⁰⁵ A year later the Palestinians participated in the ACRS for the first time (May 18–20, 1993 in Washington, DC). The ACRS was formally co-chaired by both the United States and Russia, but in reality it was the Bush Administration that orchestrated the talks. From the onset, the Bush Administration believed that conditions were not yet ripe for gaining the co-operation of the region's states in serious efforts to halt the spread of conventional and non-conventional weapons. Thus, they decided that substantial progress would have to be made in the bilateral peace talks before the parties might be ready to consider far-reaching non-proliferation measures. According to US Secretary of State James Baker, the ACRS should focus on the need for confidence-building measures in the Middle East:

*Drawing upon the vast reservoir of experience stemming from attempts to regulate military competition in Europe and other regions ... the group might move forward to considering a set of modest confidence building or transparency measures covering notifications of selected military related activities and crisis prevention communications. The purpose would be to lessen the prospects for incidents and miscalculation that could lead to heightened competition or even conflict.*³⁰⁶

In light of these limited goals, several were soon agreed upon. These involved primarily workshops to be devoted to the technical operationalisation of regional security (verification, the exchange of information on military activity, maritime measures, etc). Among other points agreed upon in the ACRS in May 1993 was the compilation and analysis of arms control proposals for the Middle East, including a study of the idea of a centre for conflict prevention.³⁰⁷ During the third and the fourth rounds in the ACRS in October–November 1993 it was agreed to accept an European offer to make available for the group the communications network infrastructure of the CSCE in the Hague, as well as a Russian offer to assist on the development of an arms control databank for the parties. It was also agreed to pursue further studies in the realm of arms control verification, including verification models and visits to verification facilities. At the fifth and sixth rounds in the

³⁰³ Kaye (1997), p.167, 184.

³⁰⁴ As in other working groups, most of the work in the ACRS focused on intercessional activities, involving primarily experts.

³⁰⁵ For an insider's account of the ACRS meetings, see Fakhr (1997).

³⁰⁶ Opening address of US Secretary of State James Baker at the first ACRS meeting in Moscow, 29 January 1992, cited from Feldmann (1993), p.54.

³⁰⁷ Israeli Information Service Gopher, "Multilateral Update", 7 June 1993.

ACRS, held in Duha in Qatar in May 1994, and in Paris in October 1994, several confidence-building measures (CBMs) were either agreed to or were close to conclusion on the following issues:

- the establishment of a Regional Security Centre/Conflict Prevention Centre (RSV/CPC);
- pre-notification of military exercises; information exchange on defence budgets, military personnel, military visits and contacts;
- operating procedures for a regional communication centre;
- co-operation in maritime issues.

Moreover, progress was made in the discussion of conceptual issues such as agreement on a declarative document (“Statement on Arms Control and Regional Security”), describing the security and peace relations of the states in the region, as well as the holding a seminar of regional threat perceptions in the region.³⁰⁸ At the ACRS meeting in June 1995 the parties agreed upon the establishment of an international centre in Amman (financed by the Netherlands and the USA) for surveillance and monitoring of arms procurement and production and other military activity in the Middle East.³⁰⁹

Differences over the Non-Proliferation Treaty (NPT) became a serious obstacle to progress in the ACRS; these led to the suspension of the signing of the joint declaration defining security relations in the region.³¹⁰ The Israeli–Egyptian dispute over the extension of the Nuclear Non-Proliferation Treaty began in earnest in spring 1995 when Egypt demanded an Israeli commitment to destroy its nuclear capability as a part of making the Middle East a “zone free of weapons of mass destruction”, something Israel was not prepared to do. In the multilateral ACRS group, this Egyptian–Israeli dispute over the nuclear issue has created such a rift that all work in the group has become effectively stalled.³¹¹ After the “freeze” of the peace talks between Israel and the Palestinians since 1996, the working group has not met at all. Thus the ACRS thus has been unable to achieve any breakthrough, only a few measures have been agreed upon, mainly the establishment of a “regional security centre”. True, the ACRS has served as a forum for the discussion of various maritime measures, communications networks, exchange of military information, and conceptual agreements on long-term security objectives. Concepts developed in the ACRS process have influenced agreements reached in the bilateral tracks, such as the Jordanian–Israeli Peace Treaty of 1994, which also makes specific reference to ACRS. Another reference in the same document which commits the parties to the creation of a “Conference on Security and Co-operation in the Middle East” (CSCME), draws directly on the

³⁰⁸ Israeli Information Service Gopher, “The Multilateral Middle East Peace Talks: Update following the fifth round April–June 1994”, *Ibid.*, “Regional Crisis Resolution Center to be established” (Jerusalem, 17 October 1994), and *Ibid.*, “The Middle East Peace Process – The Multilateral Negotiations” (1 December 1994).

³⁰⁹ “Peace Monitor”, *Journal of Palestine Studies* 25 (1) (Autumn 1995), p.127.

³¹⁰ “Peace Monitor”, *Journal of Palestine Studies* 24(3) (Spring 1995), p.118.

³¹¹ Kaye (1997), p.182; Faria and Vasconcelos (1996), p.16.

conceptual work carried out in the ARCS group.³¹² Although the CSCME concept has subsequently been promoted by Great Britain, Jordan, Israel, Turkey and others, it still appears to be only a remote possibility.³¹³ An important reason for this is that a refocusing on regional co-operation in the field of arms control, conflict prevention and regional security enables the right-wing government in Israel to shift the basis of normalisation from a “land for peace”-formula to mutual security or a “peace for peace”-formula – which is anathema to the PA, and most of the Arab states.³¹⁴

An initial problem which lingered on throughout the ACRS experience concerned differences between Israel and the Arab states, in particular Egypt, on the nature and aims of ACRS discussions: should the working group be “simply be a means of improving the political environment for the bilateral negotiations, or ... should it be a means of ... agreeing upon future security steps that would be shelved until acceptable results had been achieved at the bilateral level?”³¹⁵ Israel sought to avoid any strong linkage to the bilateral talks, in accordance with Prime Minister Rabin’s strategy of negotiating peace with the Arab countries only bilaterally, not collectively.³¹⁶ The Arab states felt it was politically impossible to acquiesce to substantial steps in the ACRS without simultaneous progress in the bilateral talks. Moreover, disagreements existed over how the region should be defined from the security point of view. Israel argued that the fact that “key proliferators such as Iran, Iraq, Syria and Libya were not even invited to .. the talks” in the ACRS constituted a major drawback for the ACRS.³¹⁷ Israel in particular deplored Syria’s boycott of the ACRS, who conditioned its participation in the multilateral tracks on progress in the bilateral negotiations.³¹⁸ According to the Israeli analyst Gabriel Ben-Dor, the underlying dilemma of the ACRS talks was that its agenda excluded core issues that divide the main protagonists. The ACRS process “makes little sense because it lacks the participation of key actors such as Syria, whereas Syrian participation would make sense to the Syrian themselves only within the framework of the negotiations between Israel and Syria on major issues separating the two countries”.³¹⁹ The question is a classical chicken-and-egg dilemma, of which there are many in peace negotiations.

However, the current standstill in ACRS talks does not necessarily mean that previous efforts have all been futile, and nor that the process cannot be swiftly resuscitated as soon as there is a breakthrough on the core bilateral tracks. The Arab states, including Egypt, have

³¹² Kaye (1997), p.176.

³¹³ *Defense News*, 10–16 February 1997; Former Turkish Minister of Foreign Affairs Hikmet Cetin at “Europe and the Middle East: Dialogue for Future Oriented Cooperation” Conference organised by Bertelsmann Foundation, Kronsberg, Germany, 16–18 January 1995.

³¹⁴ See “Peace Monitor”, *Journal of Palestine Studies* 26 (3) (Spring 1997), p.119

³¹⁵ Fakhr (1997), p.185.

³¹⁶ For Rabin’s strategic vision for the peace talks, see Makovsky (1996), pp.119–121.

³¹⁷ Feldmann (1993), p.55.

³¹⁸ See Israeli Information Service Gopher, “The Multilateral Middle East Peace Talks: Update following the fourth and fifth round October–November 1993”, 23 November 1993.

³¹⁹ Ben-Dor (1997), p.167.

seen the ACRS process as a way of agreeing upon future security measures that would be “shelved until acceptable results had been achieved at the bilateral level”.³²⁰ The ACRS has helped to create new relations between the various military establishments, and research institutes. For example, a collaborative research project has been started between the National Centre for Middle East Studies in Egypt, the Department for Disarmament and Security Studies in Jordan and the Jaffa Centre of Strategic Studies in Israel. It aims to examine the applicability to the Middle East of the CSCE/OSCE, the EU and ASEAN models for regional security, on the basis of experience from the Arab–Israeli multilateral negotiations.³²¹ The multilateral tracks, of which the arms control negotiations are a significant part, have been important in moulding contacts and friendships among policy-makers from antagonistic camps, and reducing stereotypes and mistrust. The informal and low-profile nature of the multilateral sessions has allowed for this, a feature which was judged central to the success of the secret negotiations in Oslo as well. The ACRS has supported the bilateral tracks by providing suitable meeting places for the parties. For example, the Syrian–Lebanese boycott of the multilateral talks was never “watertight”: on at least two occasions in June and July 1995, Syrian and Lebanese representatives met unofficially with Israeli delegates on the sidelines of the multilateral meetings.³²²

International security assistance is important in the context of regional security as it can provide the parties with sufficient technology, expertise and resources to implement CBMs in the area of military information, verification, inspections, communication etc. which in turn can lay the basis for an arms control regime. The Netherlands, Russia, the US, the CSCE and others have already sponsored such project within the ACRS group. External parties, in particular the great powers, can also offer guarantees or sponsorship for a regional security organisation when the parties themselves are willing to participate in such an organisation. So far, the lack of progress on the bilateral tracks — the Palestinian–Israeli and the Syrian–Israeli tracks — stands in the way of any meaningful negotiations on regional security arrangements involving Israel.

5.9 Conclusion

In the Oslo Peace Process several areas can be identified in which third parties have offered to provide security assistance:

- non-UN international observer forces in the City of Hebron (TIPH) in May–August 1994 and an ongoing operation, beginning in May 1996/January 1997,
- assistance to the establishment of a Palestinian Police Force (PPF) (transport of, salaries, equipment, training, etc.) and budgetary support to the PA (through *The Holst Fund*), enabling it to maintain large police and security forces,

³²⁰ Fakhr (1997), p.185.

³²¹ Dr Mark Heller, “The Quest for a Regional Security System”, *JCSS Bulletin*, No 17–18.

³²² “Peace Monitor”, *Journal of Palestine Studies* 25 (1) (Autumn 1995), p.127.

- special counter-terrorism programmes to enhance the PA's ability to prevent violent attacks on Israelis,
- employment-generation programmes in PA-ruled areas, mitigating the worst effects of the closures of the Palestinian Self-Ruled Areas,
- various rehabilitation/reintegration programmes for former Palestinian prisoners,
- various programmes designed to promote the rule of law in PA-ruled areas,
- bilateral US security assistance to the State of Israel, including advanced anti-terror equipment, and increased co-operation on anti-terrorism,
- a third-party role (CIA) in Israeli–Palestinian security co-ordination mechanisms,
- international efforts to support the development of arms control and regional security arrangements in the Middle East.

Several of these inputs of the international community have been essential through their *political impact* on the implementation process of the DoP and the continuing negotiations process. They have enabled the parties to justify such moves to their constituencies and mitigate the effects of factors inhibiting the peace process such as rejectionist violence and closures of the Territories. Various forms of security assistance have helped, at critical periods, and have led to a renewal or continuation of the peace process.

International security assistance has been important in enhancing the parties' capacities to fulfil their obligations under the Agreements. Furthermore, security assistance has contributed to the peace-building processes which we have identified as "security tasks" in the peace process. Given the limitations of such assistance through the restricted scope of third-party security assistance, external actors have found ways to address an increasing number of the security tasks in the peace process. However, due to the limitations on third-party involvement in the field of security, several important peace-building processes – including the monitoring of a ceasefire, disarmament, demobilisation and reintegration of former combatants, and security sector reform – have not received sufficient attention.

6 CO-ORDINATION AND CO-OPERATION ON SECURITY ASSISTANCE WITHIN THE DONOR COMMUNITY

Co-ordination attempts to deal with at least two major problems: the duplication of efforts, and unmet needs in areas for which nobody is responsible. Co-ordination can take place through command, or consensus. A co-ordination mechanism can have various levels of ambitions, ranging from not undermining what others are trying to achieve, via avoiding duplication of efforts and waste of resources, to an integrated response from the whole system of actors, making individual efforts mutually reinforcing towards the achievement of a common goal.³²³ Such an integrated response would require common strategic planning based on common data collection and analysis and common priorities with regard to how

³²³ Laugen and Tangen, (1997: 10).

resources are spent. Co-ordination usually takes place at various levels. In a study of US police assistance programmes Otwin Marenin notes that co-ordination takes place at “at least four distinct analytical levels”; further, “at all levels there is some discretion and choice, but not an unhampered one”. The co-ordination process is described as not clearly defined concentric circles where “political direction shades into policy priorities into programs designs into implementation tactics”.³²⁴ This description of co-ordination is useful in the sense that it defines a negotiating process involving many actors that have varying degrees of influence on the final outcome.

6.1 Co-ordination of Post-Conflict Assistance in the Oslo Peace Process

The co-ordination of security assistance in the Oslo Peace Process has taken place partly within the overall development aid co-ordination structure which will be reviewed below. The structures which have evolved to support donor efforts in the West Bank and Gaza form an intricate web of interrelationships between a large number of donor countries and international organisations on the donor side, and Palestinian ministries, NGOs and other agencies on the recipient side.³²⁵ Several international mechanisms have been set up to provide overall co-ordination of external aid efforts. *Ad Hoc Liaison Committee* (AHLC) is the most senior level mechanism, and has acted as a sort of political steering committee responsible for overall guidance and policies of the aid process.³²⁶ Another mechanism, the World Bank-led *Consultative Group* (CG) is a typical World Bank co-ordinating structure for donor programmes, and serves as the all-donor forum at the international level. It has been used to win support and funding for detailed aid programmes, and includes senior and technical representatives of all donors and United Nation agencies. A web of sub-structures has been set up under the overall guidance of these committees. In response to the need for more locally-based co-ordinating mechanisms in the aftermath of the establishment of the PA in the Gaza Strip and Jericho in May 1994, the AHLC established the *Local Aid Co-ordination Committee* (LACC) after an AHLC meeting in Brussels on 29 and 30 November 1994.

³²⁴ Marenin (1997), p.22.

³²⁵ Sources to coordination of international aid to the Palestinian Self-Rule Areas are Brynen (1996a), (1996b), (1998), Laugen & Tangen (1997); Hooper (1998b).

³²⁶ It was formally established by the *Multilateral Steering Group of the Multilateral Talks on the Middle East Peace* as one of its working groups, but has, in practice, functioned separately from the multilateral tracks. The AHLC is chaired by Norway and consists of the major donor countries, including the United States, Russia, the European Union, Japan, Canada, Norway, and Saudi Arabia. The World Bank serves as secretariat while the PLO, Israel, Egypt, Jordan, Tunisia and the United Nations are associate members. The AHLC meets less frequently, three times a year, and has a senior level of political representation. Hooper (1998a) and United Nations–World Bank, (1996), p.4.

Mechanisms of Donor Co-ordination and Organization of the Development Effort in the West Bank and Gaza Strip

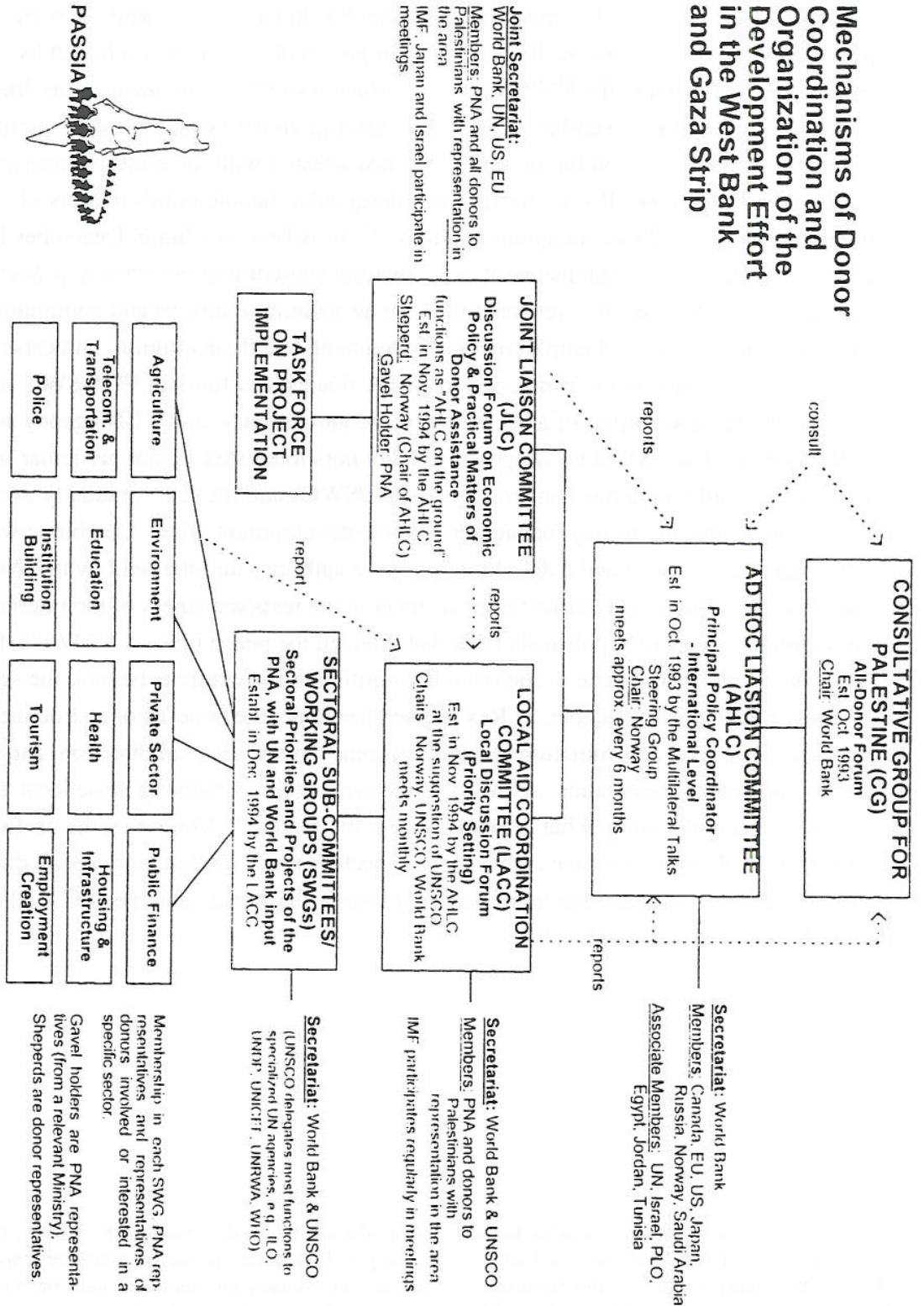


Figure 2: Mechanisms of Donor Co-ordination and Organization of Development Efforts in the Oslo Peace Process

The LACC is a local-based all-donor forum and mirrors the Consultative Group on the local level. The LACC consists of representatives of the PA and all donor countries with representation in the area (some 30 local donor representatives). It is co-chaired by Norway, the World Bank, the UN Special Co-ordinator's Office, and meets more frequently than the AHLC. At the November 1994 AHLC meeting in Brussels, a local counterpart to the AHLC (or an AHLC "on the ground") was also created with the establishment of the *Joint Liaison Committee* (JLC). The JLC was designed to handle policy matters of immediate concern in donor-recipient relations.³²⁷ At its first meeting in December 1994, the LACC agreed on the establishment of 12 sectoral sub-committees known as *Sectoral Working Groups* (SWGs) with responsibility for agriculture, transport and communication, education, public works and employment, environment, health, institution- and capacity-building, infrastructure and housing, police, public finance and tourism.³²⁸ A SWG is usually co-chaired by representatives of a PA ministry, a donor country, and a UN agency and/or the World Bank. Each SWG is composed of all donors interested in that particular sector.³²⁹ These local co-ordination mechanisms, the LACC/SWGs and the JLC, gradually assumed a greater share of the day-to-day management of the development effort. Combined with the establishment of UNSCO and a devolution of more authority into the field by the World Bank, they contributed to a marked improvement in the responsiveness of the international community to the periodic political crises that affected the peace process.³³⁰ While the evaluation of the performance of the overall co-ordination structure is beyond the scope of this study, it is important to note, as Rex Brynen has done, the benefits of a structure which combines "high-level co-ordination [providing] some overall sense of direction, and to address fundamental constraints" with "local/sectoral levels... involving those local aid officials who actually know what is happening on the ground." Moreover, the usefulness of a combination of "both inclusive and exclusive mechanisms"; the former gives all donors a sense of participation, while the more limited groups – the AHLC and the JLC – allow for more effective decision-making.³³¹

³²⁷ The JLC embraces the major donors and multilateral institutions; its discussions and recommendations are reported to both the AHLC and the LACC. One example of issues discussed and monitored through the JLC was the implementation of the Tripartite Action Plan on Revenues, Expenditures and Donor Fundings for the PA signed in April 1995. See United Nations / World Bank, (1996), pp.5, 32.

³²⁸ United Nations / World Bank, (1996), p.5.

³²⁹ The responsibilities of the SWGs are to develop an overall view of donor-financed activities in the sector, develop an annual integrated programme for donor activities with a view to the Palestinian Authority's priorities, give monthly updates to the LACC chair of activities and plans for that sector, and monitor the implementation of projects. United Nations–World Bank (1996), p.29.

³³⁰ Hooper (1998a), p.19.

³³¹ Brynen et al. (1998), p.100.

6.2 Co-ordination of Security Assistance: Establishing and Developing the Palestinian Police Force (PPF)

Security assistance in the Oslo Process has included a wide range of assistance programmes. Perhaps the single greatest security-assistance task has been to support the establishment of an effective and professional Palestinian Police Force that would provide the necessary stability for development in all other fields. It has also been most challenging with regards to co-ordination, and will be therefore be studied in closer detail here.

For the first year after the October 1993 donor conference in Washington, DC, one of the areas to receive greatest attention and concern among donor countries was the financing of the establishment of the Palestinian Authority, including the Palestinian Police Force. **The successful establishment of a Palestinian Police Force (PPF) was considered, by donors and parties alike, as one of the most critical factors for the Palestinian Authority's ability to assume its responsibilities in the wake of the Declaration of Principles.** As we have seen, the belief that the PLO would contain and suppress "armed resistance" or "terrorism" against Israelis more efficiently than the Israeli Defence Forces, had been a major factor contributing to Rabin's decision to sign the DoP in September 1993. This gradually became the most fundamental criterion of success in the peace process, simply because Israel, as the strongest party, would halt the implementation of the Accords if the PPF did not succeed in preventing "terrorism". (Palestinian critics believed, however, that a important element in getting PLO leader Arafat to accept the DoP with all its limitations, was the fact that it provided for a large-sized police force, which would permit him to establish solid control over potential and real rivals in the Self-Rule areas. It boded ill, they said, for the establishment of viable democratic rule in the Palestinian areas.³³²)

Despite Palestinian scepticism about the PLO leadership's respect for democracy and human rights, the point of departure for the donor community was the fact that both parties had repeatedly confirmed their shared interest in the establishment of a strong and efficient Palestinian Police Force. The deployment of a "strong police force" would require substantial outside assistance. It was obvious to the donors that the Palestinians lacked sufficient resources to fulfil their security obligations under the Agreement. Thus, a third-party role in establishing the police force was absolutely essential.

Neither of the co-ordinating mechanisms established in the wake of the Washington donor conference (AHLC and CG), dealt with assistance to the establishment of a Palestinian Police Force. A major reason for this was that the World Bank, which occupied a dominant position in the co-ordinating bodies, was reluctant to take on the task, arguing that police assistance fell outside its domain. In light of this development the Chair of the AHLC called for a conference of "Police Donors" in Oslo on 20 December 1993 in order to discuss ways of channelling aid to the Palestinian police. A Norwegian advisory group, including a Police

³³² See for example Khalidi (1994) and Said (1996).

Major-General, a former Army General and a specialist on peace-keeping in the Middle East, were brought together by the Norwegian Foreign Ministry. After several days of consultations with the Palestinian leadership in Tunis, including Brig.-Gen. Ghazi al-Jabali, who later became the head of the Palestinian Civilian Police, the advisory group drafted a report on requirements of the Palestinian Police Force, for presentation at a “Police Donors” meeting on 20 December 1993 in Oslo. At this meeting several donor countries made pledges to support the Palestinian Police Force with training, equipment, and limited financial aid.³³³ In its aftermath, informal meetings began with a group of countries which had expressed a willingness to offer police assistance. The donor conference in Oslo appears to have been the starting point of an informal co-ordination body of “Police Donors”, which played an essential role in marshalling support for the PPF.

This was only one of several preparatory steps initiated to gain support for the establishment of a Palestinian Police Force. Most important of these steps was probably Arafat’s decision to work closely with the Pentagon on the future Palestinian police. During the visit of US Secretary of State Warren Christopher in Tunis in December 1993, Arafat named a team to work with the Pentagon on American aid for the Palestinian police force, as requested by Christopher.³³⁴ This appears to have initiated a close, and low-profile relationship between the PPF and the US defence and intelligence community, which operated more or less outside the international co-ordinating mechanisms for assistance to the Palestinian Police Force. The US intelligence community came to play a greater role from mid-1996 (perhaps even earlier), when Palestinian opposition groups threatened to derail the peace process through a spate of suicide attacks against Israeli targets.

In the period prior to the Gaza–Jericho Agreement of 4 May 1994, intensive consultations within the donor community focused on mobilising sufficient resources to ensure the establishment of a sound Palestinian Police Force. On 24 March 1994, another Police Donor conference was held in Cairo, attended by representatives of the UN, the EU, the World Bank and 22 donor countries. The aim was to “underline the urgency of delivering assistance to the establishment of the Palestinian Police Force”. The reason for this urgency was to be found in the sudden progress in the Palestinian-Israeli peace talks. An agreement on the Palestinian Police Force was stated to be “nearly finalised”; the Israeli representative at the Police Donor conference confirmed that a phased deployment of some Palestinian police forces might begin even before the signing of the Gaza–Jericho Peace Accord, the “first contingent might be deployed next week”, and there were negotiations about a possible PPF contingent for Hebron.

These rapid developments threatened to outpace the donor community. As noted at the donor meeting in Cairo on 24 March, “there had been little activity on behalf of the donor

³³³ Interview with Police Major General Arnstein Øverkil, November 1996.

³³⁴ Elaine Sciolino, “Christopher sees Arafat at PLO Headquarters”, *New York Times*, 11 December 1993, p.6.

countries since the Oslo meeting, and the international assistance does not cover the requirements needed for the establishment of the PPF". Though donors had made various commitments to deliver assistance-in-kind (vehicles, uniforms, riot protection equipment, buildings etc.), in addition to offering training courses, there was still as "urgent need for equipment and financial aid to cover start-up costs". Few donors had yet committed themselves to a specific date for delivery. The lack of time and the shortage of financial support for start-up and recurrent costs, especially police salaries, were identified as "the two greatest problems in the process towards establishing a Palestinian police force". At the time of the Cairo donor meeting, only four countries had offered financial aid, amounting to some US\$2 mill. in all – far less than the anticipated monthly costs of running the police. Donor countries were not quick in responding. The EU countries declared that "sufficient consultations and co-ordination had to be made within the EU community" before further contributions could be offered.³³⁵ The problem of donor countries' unwillingness, or at least tardiness in delivering on their promises, was not confined to the police sector only. Slow delivery of pledged aid packages was the major problem throughout most of 1994, and widespread complaints were heard about delays as well as the inappropriateness of the aid efforts, as the Palestinians were unable to satisfy donor requirements for accountability for funds. What made funds to finance the Palestinian Police Force so urgent at this stage was the fact that an efficient and professional PPF was seen as crucial to the success of the peace process.

In order to speed up the delivery of police aid, the donors agreed to dispatch a delegation of Norwegian and PLO representatives on tour of donor capitals to follow up on donor pledges, with particular emphasis on raising financial aid and loans for the start-up and recurrent costs of the PPF. Some additional funds were forthcoming, but still far from sufficient. The causes for donor reluctance to offer aid to police purposes needed to be addressed. **The unwillingness of donor countries to commit financial aid for start-up and recurrent costs of the Palestinian Police Force, despite the fact that this had been deemed one of the most critical factors at that stage in the peace process, revealed a weak point in the co-ordinating structures set up to bolster the Palestinian-Israeli peace process.** As noted at the donor conference in March 1994, "in principle there is a political will among the donor countries to provide financial aid, but a number of countries are subject to political restrictions [on such aid]." In order to circumvent legal and political restrictions banning the use of development funds for police purposes, some countries suggested that funds should be donated to the World Bank's Trust Fund for Start-Up Costs, or the so-called *Holst Fund*. It had been created by the World Bank in January 1994 at a Consultative Group meeting in order to facilitate the provision of funds for start-up costs for the Palestinian Authority, on condition that it would meet donor requirements for

³³⁵ Later, on 19 April 1994 the EU ministers had agreed upon a joint plan focusing on support for the Palestinian police, elections, elections monitoring as well as a temporary international presence in the Territories.

“transparency and accountability”.³³⁶ Throughout the peace process, the fund functioned as an intermediary mechanism between the donors and the PA, channelling donor funds for budgetary support for the PA.³³⁷

For various reasons, direct assistance to the PPF would not be part of the Holst Fund’s activities. The World Bank felt it had already far exceeded its traditional role by its involvement in a “non-country” like the Occupied Territories. The World Bank’s handling of the Holst Fund which covered the deficit of the PA’s budget was particularly controversial in view of the World Bank’s traditional focus on long-term development aid. Even though “considerable pressure” was being put on the Bank “to agree to act as paymaster for the Palestinian police”, the World Bank refused to provide a direct funding mechanism for financial aid (to cover salaries). (To make this explicit, the PA’s general budget, to which the World Bank channelled donor funds through the Holst Fund mechanism, did not include the PPF’s budget, which was kept separate. This was finally changed in April 1995, when the two budgets were consolidated.)

In order to overcome obstacles associated with financial assistance to police forces, and improve the overall co-ordination of assistance to the establishment of the PPF, the donor countries decided at their Cairo meeting in March 1994 to create a **“donor recipient mechanism”, a special ad hoc police co-ordination committee intended to satisfy donors’ need for transparency and accountability in the use of funds (and in-kind assistance)**. Various co-ordinating mechanisms for assistance to the Palestinian Police Force were created during the Oslo Peace Process:

- the COPP mechanism (March 1994 – December 1994) co-ordinated police assistance, with the emphasis on technical equipment, gifts in-kind etc.
- the UNRWA mechanism channelled funds for police salaries (September 1994 – December 1995).
- the UNSCO police training co-ordinator (October 1994 –).
- the Sectoral Working Group/Police (January 1995 –), has emphasised training, in particular human rights and the rule of law.

6.2.1 The COPP Mechanism for Police Assistance (March 1994–December 1994)

The first “donor recipient mechanism”, aptly acronymed COPP, *Co-ordinating Committee for International Assistance to the Palestinian Police Force*, was headed by Norway and consisted of the parties, the co-sponsors of the Mideast peace process (the USA and Russia), Egypt, Japan and the EU. With the establishment of COPP, international efforts to support the nascent PPF were given an organisational focus in Cairo, which became the venue of the committee. The Norwegian embassy in Cairo, as the acting secretariat for

³³⁶ The World Bank cannot lend or disburse funds directly to non-state entities or organisations, and the Holst Fund served as the necessary bridging mechanism.

³³⁷ Hooper (1998b), p.36.

COPP, remained an important centre for police assistance co-ordination for the subsequent months. With the establishment of COPP, the co-ordination mechanism had been brought closer to the field. After an agreement between the PLO and the Egyptian Government, Egypt was set to become the main “staging ground” for Palestinian police officers on their way to the Gaza Strip, and thus the destination for much of the in-kind police assistance. The PPF was being recruited mainly from the Palestinian Liberation Army, which consisted of PLO units attached to the armed forces in several Arab countries. In preparation for deployment in the Gaza Strip and Jericho, thousands of Palestinian soldiers were being retrained to become policemen in their host countries. Egypt and Jordan, in addition to conducting training courses for a large number of Palestinian officers, also agreed to serve as transit countries for the deployment of the police force, with Egypt receiving the majority of the force.

The main tasks of COPP were summarised by the following statement by the COPP Chair: it “co-ordinates and promotes assistance to the PPF, works to ensure transparency, accountability and practicality, monitors the deployment of the PPF and regularly reviews the assistance efforts directed towards the PPF”. This involved working in close contact and co-operation “with relevant Palestinian institutions, particularly with the recipient mechanism to be established, the joint mechanisms of the Israeli-Palestinian DoP, such as the Joint Security Committee, and consistent with Palestinian priorities”. COPP was clearly limited in its mandate: it was to “operate on the basis of consensus”, its mandate was not interpreted as that of a body set up to monitor and report on the PPF compliance with the DoP. Moreover, COPP did not act as a paymaster for police salaries to the PPF, nor as a recipient body of equipment to the PPF. COPP was merely an co-ordinating body of bilateral assistance, which could be utilised if the donors and the parties so wished.

Prior to the deployment of the PPF, COPP was reinforced by two high-ranking police experts from Norway who acted as advisors for COPP, and, upon the invitation of the parties monitored the deployment of the PPF, reporting to COPP “on the needs, shortcomings and bottlenecks identified”. As additional strength of COPP was the fact that PLO leader Arafat decided to appoint one of the Norwegian police advisors, Major General Arnstein Øverkil, as his personal police advisor, which effectively placed him in a position to offer advice both to Arafat and to the most senior Palestinian police officials.

In the initial phase, COPP worked closely with the Palestinians in order to clarify the requirements of the PPF. This resulted in a budget for the total needs of a PPF of 9,000 men, drafted by the Palestinian side. It amounted to some US\$ 249 mill. for the first year, including all start-up investments of c. US\$ 163 mill. Sums like that were not readily forthcoming, however. Not until Palestinian Self-Rule finally became reality in May 1994 did a few donors step in at the last minute “to save the PLO from financial collapse from the

expense of moving 6000 Palestinian police officers to the Gaza Strip and Jericho".³³⁸ Available funds were far from sufficient to cover the expenses of the new police force. In June 1994 a report by COPP Chair complained of the slow pace of donations to the PPF. Despite "a positive development regarding commitments to donate equipment to the PPF,... very little has so far arrived in Gaza and Jericho". A COPP report from July identified "the lack of financial resources" as one of the major blocks in the development of the PPF. Given the lagging pace of donor delivery of contributions, COPP found itself working primarily to encourage donors to meet *the most basic requirements* of the nascent police force, according to a two-stage plan for a phased build-up of equipment and supplies: (i) requirements for the first six weeks, and (ii) requirements for the subsequent four months. To provide oversight, the COPP maintained and updated matrices over requirements and contributions to the Palestinian Police Forces, an important instrument for identifying where aid was most needed.

Almost immediately after its arrival in the Gaza Strip and Jericho, the PPF came under heavy pressure from Israel to deal with the Palestinian armed opposition. On 20 May 1993, only a few days after the PPF had assumed responsibility in the Self-Ruled Areas, two Israeli soldiers were killed by Palestinian militants in the Gaza Strip. The guerrillas fled and quickly disappeared into territory under the Palestinian Self-Rules Areas. The incident was the first in a long series of minor and major crises which was triggered by anti-Israeli violence by Palestinian militants, and which demonstrated the crucial role of the law enforcement and counter-insurgency capacity of the Palestinian Police Forces:

Israeli officials demanded that the police track down the attackers and forestall future incidents. In turn, the Palestinian police commander said his forces would 'take all necessary measures', but did not spell out what they would be. There were no signs of a manhunt today and certainly no mass roundups like those that the Israeli Army resorted to – usually to no avail – during its 27-year occupation of the coastal strip... Nabil Shaath, who had come from Cairo on a quick visit to bring money to the hard-pressed police, said anything beyond that would stretch the force's capacity too far. "We can't just canvass the whole town for perpetrators", he said in an interview. "We don't have the resources for that yet".³³⁹

It would take almost one year and a half to build a Palestinian counter-terrorism/counter-insurgency capacity that satisfied Israeli conditions for implementing the next phase of Palestinian Self Rule. This process, at least initially, was undoubtedly hampered by the lack of resources. **On top of that, the PPF, as a poorly equipped, poorly trained, underpaid**

³³⁸ *The New York Times* wrote that "According to Shaath, the first \$5 mill. from the US should be coming next Tuesday, the EU has signed an agreement to contribute \$11,5 mill., France has just signed a grant of \$2.4 million, Japan has promised to send quickly a \$10 million grant, and South Korea is sending \$2 million". See "First 20 Palestinian Policemen Arrive in Jericho" by Joel Greenberg, *New York Times*, 13 May 1994, p.3.

³³⁹ "Two Israeli Soldiers are Killed in Gaza Strip by Arab Militants" by Clyde Haberman, *New York Times*, 21 May 1994, p.1.

police force burdened with unrealistic demands for effective counter-insurgency, soon became notorious for the widespread human rights abuses committed by some of its members – which was, under the circumstances, hardly surprising.

There were, however, also several positive developments. Despite advance misgivings about the ability of the Israeli and Palestinian forces to work together, the joint security co-ordination and co-operation arrangements functioned well. Israeli military sources described the hand-over of authority from the IDF to the PPF as far smoother than expected, and that co-operation at the Joint Security Committee, the District Co-ordination Offices (DCOs) and in the joint patrols worked well. This experiment in security co-operation was put to severe tests on several occasions during the peace process. Already in July 1994, unrest at the Erez check-point between the Gaza Strip and Israel resulted in riots and an exchange of fire between members of the Palestinian Police Forces and Israeli soldiers.³⁴⁰ There were conflicting versions of the incident, but the continuation of the security co-operation demonstrated the parties' determination to allow the arrangement to succeed. Nor have clashes and lethal incidents at later stages in the peace process – such as the killing of four Palestinian police officers in January 1995, and the September 1996 gun battles between the two forces – led to the breakdown of the security co-operation arrangements.³⁴¹

Although COPP was not designed to deal with police salaries or act as paymaster, the dangers of a large unpaid Palestinian police force soon emerged as one of the greatest concerns of the committee. In a COPP report from June 1994, the Chair stated that “it is imperative that substantial new contributions towards covering recurrent costs come forward in the very near future”. At this stage in the peace process, the donors had not yet transferred much of their financial pledges to the Palestinian Authority. A large share of the money was committed for long-term development projects of one kind or another, not for the PA's recurrent expenditures like the salaries of the Palestinian police and civil servants. In June 1994 it was reported that only 50\$ mill. had reached the PLO so far. A correspondent reported that:

most of the estimated 8000 or so police officers who have moved into Gaza and Jericho still have not been paid and their mood is souring. 'I have been here nearly two months and have yet to receive a salary', said Lieut.Col.Hamdi al-Rifi, head of the criminal investigation division of the Gaza police force.³⁴²

At previous Police Donor meetings some countries had clearly been concerned that the contributions offered by the donor countries would not necessarily be accepted by Israel,

³⁴⁰ “Arab Police Clash with Israeli Army During Gaza Riot” by Clyde Haberman, *New York Times*, 18 July 1994, p.1.

³⁴¹ “Israeli Soldiers in Gaza Kill 4 Palestinian Police Officers” by Clyde Haberman, *New York Times*, 3 January 1995, p.2. For the September riots, see JMCC Press Service, 26 September 1996 “Report On Today's Incidents”.

³⁴² “Arafat Appears Reluctant to Shift Base to Jericho” by Ibrahim Youssef, *New York Times*, 17 June 1994, p.6.

which could, according to the Peace Accords, decide to veto any deployment of personnel and equipment on security grounds. This was frequently a problem, although the size and equipment of the Palestinian police was not among the major issues in dispute between the parties at this stage. Personnel and police equipment were delayed or turned back at border points. Nevertheless, also Israel was greatly concerned about the delays in delivery of both in-kind and financial assistance to the Palestinian Police Force, fearing that a weak PPF would be less able to curb anti-Israeli violence emanating from the Self-Ruled areas, and lead to a “Lebanonisation” of the Self-Ruled Areas. Israel expressed concern about the low level of salaries paid to ordinary policemen. Since the average monthly salary in Gaza was US\$ 300, policemen should ideally be paid somewhat more “in order to reduce the risk of any of them attending to other business than strictly police matters”.³⁴³

Living conditions for newly arrived police officers and their families were also a source of great concern for the donors. COPP reported, “there is an emergency situation with regards to beds, housing and food for the PPF”. There were great fears that “the situation will become critical if these basic needs are not met”. Observers had noted that most Gazans as well as the inhabitants of Jericho were warmly receiving the newly arrived police force – which was probably the first major change on the ground after the signing of the DoP eight months earlier. Euphoric celebrations erupted all over Gaza and in Jericho as the IDF withdrew and Palestinian police officers arrived. Many Palestinians saw the arrival of the PPF as the single most important step towards Palestinian statehood at that time. The Palestinian police officers were thus offered housing and food by most Gazan families.

Yet this extraordinary situation could not last. COPP police advisors warned that it would create “an unfortunate relationship of dependence between the inhabitants and the police – a police force which should be free and independent in enforcing law, and maintain a professional code of ethics”. Moreover, the lack of housing and food supplies for the police force meant that the Public Security Forces, a PPF branch designed to guard the “borders”, and which should be deployed along the demarcation lines of the Self-Rule Areas, could not be deployed there. COPP feared that “serious friction between PPF and IDF could occur” as a result of rising number of incidents involving smuggling and cross-border infiltration.³⁴⁴ There were other threatening consequences of the PPF’s lack of resources: the lack of effective communication systems among the Palestinian Police Force could cripple the PPF’s “ability to pursue an effective manhunt”; the lack of boats meant that the Palestinian Police Force was unable to prevent the rising number of illegal offshore incidents (several dozen per week had been recorded by the Israelis); the lack of equipment and training for investigation meant that the PPF was unable to present the evidence necessary to get guilty convicted, a factor contributing to the PPF’s human rights abuses.

³⁴³ Interviews with police advisors.

³⁴⁴ A plan to establish 20 prefab camp quarters was worked out, and the construction of these camps for the Public Security Police was considered a priority.

6.2.2 The UNRWA Police Salaries Mechanism (September 1994–December 1995)

By August 1994, the lack of salaries for PPF officers had emerged as a major issue in donor efforts to support the PPF. Although Norway, the EU and the USA came forward with funds totalling some US\$ 12.5 mill. in June 1994, COPP saw as a minimum that an additional US\$ 18mill would be needed to cover recurrent costs and police salaries until end of September 1994, and an additional US\$ 20 mill. for the rest of the year. The PA's tax revenues were far short of covering start-up and recurrent expenditures of the newly established police. As concern with the implications of these developments for the peace process mounted, plans for a new "donor recipient mechanism" for police salaries were put forward to facilitate the flow of funds to the PPF. It was understood that the COPP mechanism could not deal with police salaries, since it lacked infrastructure and sufficient personnel on the ground, and the World Bank had refused to "act as a paymaster for the Palestinian police". Individual donors with a deep-felt interest in the peace process channelled their funds bilaterally. Disbursement of Norwegian funds, for example, was conducted under the auspices of the accountancy agency Lybrand and Coopers. Many donors were reluctant to channel their funds bilaterally, however. There was considerable anxiety in donor capitals about channelling funds to police and security forces. A donor representative noted that few countries "would risk granting cash to something as amorphous as the PPF".³⁴⁵ The first reports on human rights abuses by members of the Palestinian Police Force had already begun to trickle in. In July 1994 a Gazan lawyer was reported to have been tortured by Palestinian security forces,³⁴⁶ and in August 1994 came the first death of a detainee in Palestinian police custody. A Gazan lawyer and human rights advocate told reporters that "[w]e feel abuse and even torture could be widespread," he said. "But there is a climate of fear... Nobody wants to talk."³⁴⁷ True, the PA did take action: it met with human rights organisations to address the issue, and signed an agreement with the International Committee of the Red Cross, allowing it access to Palestinian prisons.³⁴⁸ Yet these incidents, on top of the widespread rumours of arbitrary arrests, intimidation of opponents, as well as of Arafat's appointment of allies who had been accused of corruption and mismanagement as mayors, administrators and police commanders, must have contributed to create scepticism and reluctance among potential donors.³⁴⁹

³⁴⁵ Interview in Tel Aviv, May 1998.

³⁴⁶ "Gazan lawyer tortured by Palestinian forces", *Biladi: The Jerusalem Times*, 22 July 1994, p.13.

³⁴⁷ "Some Gazans Fearful Arafat Could Choke Democracy" by Ibrahim M Youssef, *New York Times*, 7 August 1994, p.1.

³⁴⁸ "Police in Gaza Meet with Human Rights Organisations", *Biladi: The Jerusalem Times*, 22 July 1994, p.8. and "PLO to Allow ICRC Visits to Palestinian Prisons", *Biladi: The Jerusalem Times*, 29 July 1994, p.2.

³⁴⁹ "Some Gazans Fearful Arafat Could Choke Democracy" by Ibrahim M Youssef, *New York Times*, 7 August 1994, p.1.

In August 1994, Norway, as Chair of the AHLC, and the recently appointed UN Special Co-ordinator to the Occupied Territories proposed a new funding mechanism to address donor concerns about police funding. On 13 September 1994, when Norway managed to broker an agreement (called the Oslo Declaration) between the PLO and Israel to defer contentious issues – such as Palestinian development projects in Israeli-occupied East Jerusalem, which had led to the failure of previous donor meetings³⁵⁰ – the parties also agreed to a new UN funding mechanism for channelling donor funds to cover salaries of the Palestinian police force in the Gaza Strip and the Jericho area. The UNDP was called upon to carry out the payment operation on the ground. A certain amount of diplomatic jostling was needed to get this proposal to work, since the UNDP declined, for various reasons. Despite some political reservations among the major donor countries, UNRWA finally agreed to establish and operate the payment mechanism, after having received the go-ahead from the UN Secretary-General.³⁵¹ (The UNRWA initially suggested that donor countries should pay up front an amount equivalent to 6 months' police salaries, as an assurance, but dropped this later). By the end of September 1994 UNRWA and UN Special Co-ordinator had set up and begun to implement the funding mechanism.

Thus, UNRWA, as the largest UN agency in the Occupied Territories and with the best developed infrastructure on the ground, agreed to provide a funding mechanism for salaries to the Palestinian police whereby donor countries transferred funds to UNRWA and upon which UNRWA disbursed these funds as police salaries on the ground. This procedure was undoubtedly innovative to overcome donor restrictions on the use of development funds. It provided donors with safeguards against misuse of funds and “double-funding”. Several countries now stepped forward and donated funds through the UNRWA mechanism. Some US\$ 39 million of donor funds to pay for police salaries and a portion of other running costs of the PPF were channelled through UNRWA. This was clearly a success, given the slow pace of donor funds for police salaries. Moreover, despite the logistical difficulties of counting out some US\$ 4 mill. in cash each month and distributing this amount of money in envelopes to nearly 9,000 police officers, the process proceeded smoothly. The accountants reported of no loss or misappropriation of funds. All the same, those countries who had refused to deal with the police sector because of political and legal restrictions on development funds did not change their minds despite the new and innovative mechanism for disbursing funds with maximum accountability.

A source of concern for the donors at this stage were reports about the PA establishing various secret services which reported directly to PLO leader Arafat, and which were in

³⁵⁰ The Oslo Declaration (13 September 1994) stated that the parties “accepted the request by the AHLC Chairman that they shall not bring before the donor community those political issues that are of disagreement between them.”

³⁵¹ To be sure, the UN Secretary-General sought a formal sanctioning from the General Assembly, and in December 1994 the UN GA resolution 49/21B entitled “Financing of the Palestinian Police Force” was formally passed. See Hooper (1998a), pp.30–31, and Hooper (1998b).

reality illegal according to the Gaza–Jericho Agreement. The PLO leadership had reportedly “installed a 700-member presidential security force, a general intelligence force of several hundred, a preventive security force, and another intelligence division – in addition to the uniformed police”.³⁵² The largest of these forces were the armed Fatah Hawks militia; they had begun to operate as a police force with Israel’s blessing since autumn 1993, and emerged now under the name *Preventive Security Service* (PSS). The existence of these extra-legal forces and the non-transparent command structure of the police were clearly not in compliance with the Peace Accords. The Gaza–Jericho Agreement had a ceiling of 9000 police officers, but by December 1994 the payroll had grown to over 13,000 personnel, largely due to Arafat’s expansion of intelligence agencies. UNSCO and the donor countries insisted that Arafat had to cover the expenditures for exceeding number of police officers from his own revenues, and refused to channel funds to salaries or offer training for police forces other than those specified in the Peace Accords. When members of the PSS on one occasion received donor money through the UNRWA mechanism, the UN Special Co-ordinator made the PA pay the money back. The UNSCO’s police training co-ordinator refused to accept members from other than the “legal” branches of the PPF. However, since an expansion of PA rule to the West Bank appeared to imminent through most of 1995, and the PA would then need up to 30,000 PPF personnel, the PA felt it was necessary to avoid the mistakes of May 1994 when the PPF had been caught largely unprepared. The PA therefore allowed the ranks of the PPF to swell far beyond the 9,000 permitted in the Gaza–Jericho Agreement. In 1994–95 Israel appeared more interested in the speedy development of a Palestinian counter-insurgency capacity, than in any strict compliance with the letter of the accords; the numbers of the PPF were not seen as an obstacle to the continuation of the peace process.³⁵³ Instead, there were fears that a hungry and unpaid police force would constitute a potential threat to the peace process, so the donor community should speed up the delivery of funds for police salaries and other budgetary support.

The start-up of the UNRWA police salaries funding mechanism coincided roughly with a breakthrough in the year-long stalemate between the World Bank and the PLO, which would contribute significantly to the PLO’s ability to keep large police and security forces. A core issue in the World Bank–PLO dispute was whether funds should be tied to long-term infrastructure projects, or be put into “operational funds” available for Arafat’s nascent

³⁵² “Some Gazans Fearful Arafat Could Choke Democracy” by Ibrahim M Youssef, *New York Times*, 7 August 1994, p.1.

³⁵³ Only after the Netanyahu government came to power, and especially after the September 1996 gun battles between Israeli soldiers and Palestinian policemen, did Israel raise the issue of the oversized police force. The former Israeli Coordinator of the Occupied Territories, Major General Danny Rothschild commented in the annual Simon Syrkin memorial lecture in February 1995 that Arafat had begun to recruit additional police forces from among the local population who had carried out the *intifada*, with the hope that they would be more successful than the “outsiders” in dealing with the task of maintaining internal security. For this reason the police force had more than doubled — from 7,000 to 15,000 men. Rather than objecting to this as a violation of the accords, Rothschild held that these local recruits “are the ones that will be best able to carry out their duties”, and with these new recruits “the system is beginning to operate as it should”. See “Syrkin Lecture: the Palestinian Authorities — Where to?”, *JSCC Bulletin* No.14.

administration, including the Palestinian Police Force, which represented the PA's single largest operational costs by far. The PA had so far failed to set up a workable tax structure; its initial direct taxation scheme was yielding no more than \$3 mill. a month – not enough even to cover police salaries, let alone other expenditures such as civil servant salaries, education and health budgets. Israel was hesitant to transfer “early empowerment” services until the PA could establish a “real financial arrangement with the donors”.³⁵⁴ Moreover, developments in the Gaza Strip raised anxiety in the donor community about the political stability of Arafat's newly installed Self-Rule, and many feared he might lose control. On 2 November 1994, a leader of the militant Islamic Holy War faction in the Gaza Strip, Hani Abed, was murdered by a car bomb widely believed to be the work of Israeli undercover units.³⁵⁵ This prompted violent demonstrations against Arafat and against the peace accords with Israel, where PLO leader Arafat was “denounced... as a collaborator with the Israelis”. Militants began threatening to attack the Palestinian Police Forces:

According to some reports, Mr Arafat was treated so roughly [at the funeral of Mr Abed] by angry Muslims at the Omari Mosque in Gaza City that they knocked off his trademark head scarf. “This is your peace, Arafat”, people shouted at him. “It's all liquidations and assassinations”... a leader of Islamic Holy War in Gaza, Sheikh Abdallah al-Shami, said that ... Mr Arafat's police officers in Gaza would be targets.³⁵⁶

The situation worsened significantly on 18 November 1994, when members of the Palestinian Police Force opened fire at a demonstration in Gaza city believed to be organised by Hamas, killing at least 13 fellow Palestinians and wounded as many as 200.³⁵⁷ Police advisors saw the tragic outcome of these clashes largely as a result of the PPF's lack of anti-riot training and equipment. With hardly any anti-riot training, or anti-riot equipment other than their *Kalashnikovs*, such an outcome was hardly surprising. As a result, several donors undertook to provide the PPF with better anti-riot capacity.

However, the Gaza clashes and their repercussions had another, more far-reaching side-effect. **The increasing instability in Gaza convinced the donor community that Yassir Arafat's regime was in grave danger, and that substantial funds would have to be freed to bolster the PA and its legitimacy in the eyes of the population.** It was widely assumed in the donor community that socio-economic deprivation was the root cause of the clashes. At a special donor conference in Brussels in late November 1994, the World Bank yielded after a year-long stalemate with the PLO, and agreed to release more than \$100 mill. in direct budgetary support for the PA for 1994, as well as a crash public works programme to create 5000 jobs in Gaza, in an effort to absorb popular discontent with the Peace Accords. Much more money was now earmarked almost wholly for “operational

³⁵⁴ Usher (1995), p.64.

³⁵⁵ AP, *New York Times*, 3 November 1994, p.8.

³⁵⁶ “Gazan Eject PLO Leader From Funeral” by Clyde Haberman, *New York Times*, 4 November 1994, p.1.

³⁵⁷ “12 Die As Arafat's Police Fire on Palestinian Militants” by Clyde Haberman, *New York Time*, 19 November 1994, p.1.

expenses". Despite its reluctance to become involved in police assistance, in late 1994 the World Bank had begun seriously discussing the possibility of "switching funds" through the Holst Fund to finance the police forces. This proposal was backed by the USA, and the World Bank agreed to include the PPF's budget in discussions on the PA's budget and donor countries' budget support. The PPF's budget, which had so far been kept separate, was consolidated with the general PA budget in April 1995, following an agreement with the donors and the aid agencies. Throughout the peace process, the Holst Fund has channelled hundreds of millions dollars of budgetary support to the PA³⁵⁸; since the police and security apparatus was the single largest expenditure on the PA's budget, it became a *de facto* funding mechanism of the Palestinian police and security forces.

Palestinian economics and professionals did not wholeheartedly agreed with the donor community and its November compromise with the PLO. Many had hoped that the World Bank and the donor community would somehow impose on the PLO a more consensus-seeking policy. Graham Usher has argued that this vision crumbled as the donor community gradually came to accept Israel's and, increasingly, Arafat's security-led vision of Self-Rule. The fast-growing Palestinian Police Force constituted a massive drain on the PA's locally generated revenues.³⁵⁹

6.2.3 The Sectoral Working Group / Police (January 1995–)

The fact that police assistance fell outside the traditional area of development reconstruction assistance led to a situation where the earliest co-ordination mechanisms for police assistance, the "Police Donors" and COPP, initially operated outside the AHLC and CG co-ordinating bodies. In practice, this did not seriously hamper co-ordination, as Norway was chairing *both* the AHLC and COPP. When the Palestinian Authority established itself in the Gaza Strip and Jericho, there was an increasing need for local co-ordination mechanisms. The AHLC now requested the World Bank to prepare detailed proposals for on-the-ground co-ordination of all sectors of assistance. It was understood that the AHLC had in effect taken over the responsibilities of "Police Donors" and COPP was now acting under the guidance of the AHLC. The AHLC also assumed responsibility for fund-raising for the Palestinian Police Force. For a variety of reasons, the World Bank was slow to establish local co-ordinating bodies, and COPP continued to exist until the end of 1994, when a local co-ordination structure was established through the LACC and its twelve sectoral working groups, including the Sectoral Working Group/Police (SWG/PPF). The COPP's responsibility was transferred to SWG/PPF, which met for the first time in February 1995.³⁶⁰ Prior to this, UNSCO had already taken over responsibility for co-

³⁵⁸ Until June 1997 US\$ 259 mill had been paid by donor countries to the Fund; more than US\$ 170 mill had been disbursed in support of PA salaries and operating costs. See [http://www.worldbank.org/...](http://www.worldbank.org/)

³⁵⁹ Usher (1995), p.65.

³⁶⁰ Under the LACC coordination structure, each Sectoral Working Group was headed by a three-man presidency (a chair, a gavel-holder and a secretariat), which usually included a "lead nation" among the

ordination of police training courses, and the start-up of actual programmes began in earnest in October 1994. A Norwegian police advisor, Per Bleikelia, was seconded to UNSCO for this purpose. It established the institution of UNSCO's police advisor, which has since become a focal point in efforts at developing a professional Palestinian police.

Police assistance co-ordination gradually changed focus towards the co-ordination of training programmes for the Palestinian police, whereas COPP had mainly been concerned with co-ordinating in-kind donations, technical equipment, as well as the planning of the deployment operation of the PPF in Gaza and Jericho in May and June 1994. There were several reasons for this turn. First of all, as the PPF gradually acquired the most basic police equipment, the donor countries came to see training as an increasingly more immediate concern. The need for more and better training of the Palestinian police had been forcibly underlined by the November 1994 clashes, as well as numerous incidents of undisciplined police and human rights abuses by police officers in the latter half of 1994. Secondly, during 1995–96 it became increasingly more difficult for UNSCO as the secretariat of SWG/PPF to gather information from donors on their in-kind contributions to the PPF, and they decided to limit the updating of matrices to training courses only. (It appears that several donors had established direct contacts with the intelligence and security services of the PPF, and did not want to go public about their donations.) Although in-kind assistance and donations continued to be discussed in the SWG/PPF, the working group did not function according to the provisions in the SWG's mandate, namely to “develop an overall view of donor-financed activities in the sector”, as a basis for the development of “an annual integrated programme for donor activities with a view to the Palestinian Authority's priorities.”³⁶¹ Neither the SWG/PPF, the old COPP or the other SWGs, had any formal authority to set priorities. As long as the donors did not want to co-ordinate anything more than some parts of their police aid programmes, the SWG became more of an information exchange forum rather than a strategic planning committee aiming at “an integrated response from the whole system of actors”.³⁶² This evolution of the SWG/PPF was not accidental, and followed the pattern of other SWGs in which certain project-areas were given priority, while the ambition to maintain an overall view of all donor activity was often abandoned.

As the Palestinian Police Force became more self-sufficient, the co-ordinating mechanisms for police assistance became less relevant, in the eyes of the donors. The remaining co-ordinating mechanism for police assistance, the SWG/PPF, lost much of its original function as an overall co-ordinating mechanism. It co-ordinated various training programmes with an explicit emphasis on human rights and the rule of law, which increasingly had become a major concern for most of the donor community. Otherwise it was allowed to relapse into

donor countries involved in that sector, the relevant Palestinian ministry, in addition to the World Bank or a UN agency. The Sectoral Working Group / Police is headed by Norway, UNSCO and representatives for the PA Ministry of Planning and International Co-operation (MOPIC).

³⁶¹ United Nations–World Bank (1996), p.29.

³⁶² See our introduction on co-ordination in this chapter.

what one donor representative called “a half-sleeping life”. As “counter-terrorism” emerged as the top priority after the spate of suicide attacks in February–March 1996, the SWG/PPF was also side-tracked by the far more important CIA role in the Palestinian–Israeli security co-operation mechanism, as well as the CIA- and EU-sponsored counter-terrorism training programmes for the Palestinian security forces. By early 1997 one of the police donors noted that much of the bilateral assistance to the Palestinian security forces “was of such character that one probably does not wish to deliberate upon it in the working group” (i.e. the SWG/PPF). Assistance to the Palestinian police beyond human rights training had become a politically sensitive issue, and, probably for that reason, many donor countries preferred to keep their assistance programmes on a strictly bilateral basis. In sum, the impact of human rights reports on the character of police assistance can be summarised as follows:

- The increasing number of reports of PPF human rights abuses led several donors to withdraw their involvement in police assistance, while others put greater emphasis on human rights training, democratic policing, “rule-of-law” programmes, etc. Others limited their assistance to the Civil Defence, or the Civil Police branches, which were less controversial than the Palestinian security forces.³⁶³
- Some donor countries believed nevertheless that the disturbing news of police brutality and deaths of detainees in police custody should instead spur an increase in training courses for the Palestinian Police Force, in an effort to counteract these abuses. There was a firm belief that these abuses were the result of an untrained police force without sufficient capacity to deal with mounting challenges such as souring crime, small-arms proliferation, smuggling and heavy Israeli pressure to curb anti-Israeli violence at any price.
- There were, however, structural problems which could not be addressed merely through training and technical equipment. As one police advisor noted, “what kind of police one should have is not a technical issue, it is very much a *political* question”.

What emerged from reports and interviews with police advisors, donors and the PPF itself is the belief that more training would improve the conduct of the Palestinian Police Force, especially in the human rights area. As a result of this, some donor countries approved in May 1996 a plan for funding the construction and the necessary training equipment for a “National Police Academy or Training Centre”.³⁶⁴ The reasons for launching this project were twofold. Firstly, the donors identified a need “to have a more developed and organised training of the PPF”. A Police Academy or a central police training centre would contribute greatly in this respect. Secondly, the police advisors identified “the need for a *platform for donor countries* to develop and establish a more serious training for PPF”. The donors

³⁶³ See for example Overseas Development Council, “Britain Announces More Aid For The Palestinians” at <http://www.oneworld.org/oda/press/mar13.html> dated 13 March 1996, specifying among other things that “Assistance from the Aid Programme to the police is focused on training the Civil Police Branch. It does not include counter-terrorism.”

³⁶⁴ These countries were Denmark, the Netherlands, Germany and Sweden.

obtained a formal request from Major General Nasser Youssef, formally head of the PPF, to help to fund and build a Police Academy. An evaluation of all police training took place as a part of a needed analysis for a Police Academy, and a steering committee was set up by the four donor countries involved. The police academy project was hampered by numerous obstacles: a deteriorating human rights record on the part of the PPF made several donors “freeze” their pledges,³⁶⁵ and the rivalries between semi-independent PPF branches severely encumbered the planning process. So far, two years after the idea was launched, the Police Academy has yet to materialise, although the need is still very much there.

Competition and rivalries between various semi-independent police branches and security services emerged as one of the major obstacles to efficient police assistance co-ordination. Rivalries between the Palestinian Ministries were already a recognised problem in the donor community, but the problem was even more prevalent within the PPF. COPP’s police advisors had made strenuous efforts at persuading the PPF leadership to agree on a workable and co-ordinated command structure for the police, but this was blocked by competing interests of the various police and security branches. The command structure was very much dictated by the patrimonial politics of PLO leader Arafat, who desired to keep potential and real rivals in an eternal struggle for his favour – a well-known feature of Arafat’s political leadership for most of the pre-Oslo era. To the extent that the police donors attempted to exert pressure on him to abide by the police structure set forth in the Peace Accord, they were unsuccessful. Consequently, the PPF had in reality no head, as all police and security service commanders were responsible to PLO leader Arafat only. The division on the top of the PPF manifested itself on many occasions, most conspicuously perhaps in late 1996, when the formal head of the PPF, Major General Nasser Youssef, was briefly deposed by rivals in the PPF, and his deputy ended up in jail mistreated. In the absence of lines of command, co-ordination on the recipient side inevitably became a problem. Only as late as in 1996 did the PPF agree on a “Police Assistance Co-ordination Committee” (PACC); various branches of the police continued, however, to deal directly with donors and compete for the same donor resources. Civilian Police, for example, would not acknowledge the other police branches as *police* – they were “pure military formations”, and thus should not be entitled to *police* assistance. Moreover, they sometimes refused to participate at training courses with the “military” branches of the PPF. An evaluation report by European police advisors revealed their frustration at the lack of strategic leadership and initiative in the rivalry-ridden police forces: “We have not found any plans of strategy for the PPF in the future. It seems to be very much an ad hoc driven organisation. Nobody dares, openly, to have any ideas about the future.”³⁶⁶

Another recurrent theme in donor–recipient relations has concerned **disagreements on the concept of policing**; many PPF officers had been trained in Egypt and Jordan, and had

³⁶⁵ *Palestine Report* 3 (26), 5 December 1997.

³⁶⁶ Interviews in the West Bank and Gaza, December 1996 and Spring 1998.

adopted certain police traditions there. (These links have apparently been reinforced; the Palestinian Authority has recently sought closer co-operation with the Egyptian Ministry of Interior for the purpose of police training and counter-terrorism.³⁶⁷ The PA has also signed a co-operation agreement with other Arab states on counter-terrorism.³⁶⁸) There can be no doubt that Egyptian model of policing, especially in tackling the Islamist opposition, is greatly at odds with Western policing models and respect for internationally accepted standards of human rights. A evaluation report on the PPF is illustrative of this particular “clash of civilisations”:

The meaning of policing is more Arabic than Western Europe oriented. When asked, officers in Preventive Security described their responsibility as “to keep an eye on the opposition ... the whole (PPF) organisation more committed to be “freedom fighters” than “crime fighters ... As an illustration of this there is a widespread habit among the senior officers to talk about the members of PPF as soldiers and not as policemen.. Due to the lack of policing knowledge and the very rooted military culture, much of the work in the different branches tends to be related to military operations, tactics and thinking.. This means that the way of solving problems and tasks are sometimes purely like a military operation and not related to the way a police organisation should have solved the task. The meaning of service, aid and respect for laws does not always exist — the violation of HR for example is a big problem. Without proper training, courage and knowledge, this unprofessional behaviour will continue within all branches of PPF.”³⁶⁹

6.2.4 “Non-public” Security Assistance in the Oslo Peace Process

The extent and character of “non-public” police assistance to the PPF is by its very nature impossible to determine. What is generally known is that the CIA has been training Palestinian security services in counter-terrorism; several European police and intelligence services have subsequently become involved in various counter-terrorism programmes; and according to rumours on the Palestinian street, the Russian intelligence agencies are also providing assistance to the PPF.³⁷⁰ The co-ordination of this kind of assistance is by its very nature non-transparent. It has transpired that EU programmes have partly been co-ordinated through the EU Special Advisor to the PA. There are reportedly meetings and certain informal co-ordination between the CIA programme and the EU Special Advisor, as well as between the UNSCO police advisor and the EU Special Advisor. The non-transparency and secrecy surrounded these programmes clearly constitutes yet another impediment to strategic and overall planning for the police sector. Perhaps more than in any

³⁶⁷ In December 1997 it was reported that President Arafat met with the Egyptian Minister of Interior Habib al-Adly in order to review “cooperation between the Egyptian and Palestinian police” as well as discussing “means of benefiting from the Egyptian expertise in security domain”. See “Arafat Seeks Egyptian Help for Palestinian Police”, *Cairo MENA* (in English) 1655 GMT 7 December 1997 (FBIS-NES-97-341).

³⁶⁸ “Arabs Confront Terrorism”, *Middle East Times* XVI (17) 26 April–2 May 1998, p.1.

³⁶⁹ PPF Training Evaluation Report, undated.

³⁷⁰ In its assistance to the PA, Russia has limited itself almost completely to the police sector. In 1995 Russian donated to the PPF a large number of armed personnel carriers.

other sector, the police sector can never be completely transparent, due to the sensitivity attached to various forms of police assistance.

6.2.5 Co-ordination of Assistance to the Palestinian Police Force (PPF): Main Points

- Both parties had a deep-felt interest in speedy and rapid delivery of funds and equipment to the PPF. Israel saw the PPF as essential to subdue Palestinian rejectionist violence.
- Perhaps more than any other type of post-conflict assistance in the Oslo Process, police assistance needed to be delivered quickly and in a co-ordinated manner. This proved difficult, however, as some of the donor countries had legal or political restrictions prohibiting the use of development funds for police purposes. In general, most donors were concerned about funding anything as “amorphous” as the PPF.
- There were great human rights concerns associated with police assistance to the PPF, especially after widespread torture in Palestinian prisons was reported by human rights organisations.
- Co-ordination mechanisms (“donor recipient mechanisms”) which shared responsibility and enhanced accountability, contributed to increased funding for the PPF.
- The co-ordination mechanisms were unsuccessful, however, in significantly reducing human rights violations committed by members of the Palestinian security forces. The co-ordination mechanisms for assistance to the PPF had no explicit mandate for human rights monitoring, and wielded scant leverage for pressuring the PPF, partly because more and more police assistance, especially the counter-terrorism programmes, was being channelled via non-public channels, outside the co-ordination structures. This and the fact that the “war on terrorism” has become the number one priority, have weakened the leverage of the co-ordination mechanisms for police assistance in putting pressure to bear on the Palestinian police and security apparatus to subject itself to the rule of law.
- The belief that there was basically a technical solution (more training and better equipment) to the problem of human rights abuses and an absence of rule of law, has proved misplaced. As long as there is no political will on the part of the political leadership to deal decisively with this problem, there can be no solution to this situation.
- The Palestinians had vastly different concepts of policing than the donor countries. With the possible exception of the Civilian Police, the PPF was a largely militarised force where military drills and combat training were emphasised. (Fighting capabilities were deemed important in order to deter Israeli re-occupation of the Self-Ruled Areas). Furthermore, the PPF built strong internal security and intelligence services to avert anti-Israeli attacks. Needless to say, the PPF was not very likely to develop into a Western-style civilian police force.
- Despite the existence of political agreements on the structure, lines of command and size of the police force, the PPF very soon developed into a bloated non-transparent structure of competing agencies. Ensuing conflicts and rivalries between various branches of the PPF hampered the co-ordination of assistance as well as overall development of the PPF.

7 CONCLUSIONS

The delivery of security assistance in the Oslo Peace Process has not been in the traditional form of peace-keeping troops and military observers. Israel has consistently refused to permit a third-party role in security matters, and has severely circumscribed all attempts at placing international observers as a buffer between Israel and the Palestinians. As such, the Oslo Peace Process is unique in its fundamentally bilateral character when it comes to security matters. This stems from the character of the Peace Accords, which Israel sees as an experiment to test the PLO's ability to rule the Palestinian population in the Occupied Territories and to "fight terrorism" in close co-operation with Israel. Thus, security co-operation between the parties assumes fundamental importance. As a response to this, the donor community has attempted to address security issues through economic means, mainly through a massive aid effort, involving several billion dollars, to bolster the PA, hoping that economic development and increased welfare will "defuse tensions" and "increase support for the peace process".

A core problem in the Oslo peace process has been the inability of the parties to provide sufficient security for civilians. Yet the overwhelming part of the international aid has been targeted towards the economic sector, not towards the security sector. As we have indicated, economic and development assistance does not necessarily give any security dividend by reducing tension and fostering moderateness. Partly as a result of the strictly bilateral security relationship between the PA and Israel, **a wide range of "security tasks" have not been identified in the Oslo Peace Accords: indeed, the words ceasefire, disarmament, demobilisation, reintegration of former combatants and security sector reform hardly occur in the Peace Accords.** Thus, these vitally important peace-building processes and security tasks have either not received sufficient attention or have not been addressed, largely because of the character of the peace agreement and its limitations on third-party involvement in the field of security. Nevertheless, given the limitations on security assistance, external actors have found ways to address an increasing number of the security tasks in the peace process. Security assistance has had a significant impact, albeit largely indirectly, on the peace-building processes which we have identified as "security tasks" in the peace process. **The central role of the Palestinian Police Force in these processes** should be underscored.

Our Analytical Framework has suggested that international security assistance has been effective when it has, directly or indirectly:³⁷¹

- (1) fulfilled specific provisions of the peace settlement;
- (2) increased security in the perception of the population;
- (3) executed a comprehensive security sector reform;
- (4) given rise to security co-operation between the parties to the conflict;

³⁷¹ Lia et al. (1997)

(5) promoted the integration of the post-conflict state(s) into a regional security network.

Given these criteria, it is evident from the preceding chapters that security assistance rendered in the Oslo Process has played a significant role in (1) “fulfilling specific provisions of the peace settlement”. **Various forms of international security assistance have been essential through the *political impact on the implementation of the DoP and the continuing negotiations process*.** Measures such as the deployment of the TIPH in 1994 and the employment-generation programmes have allowed the parties to justify their moves to their constituencies and mitigate the effects of factors that inhibit the peace process, such as rejectionist violence and closures of the Territories. Various forms of security assistance have helped, at critical periods, and have led to a renewal or at least continuation of the peace process, which has subsequently led to the fulfilment of important parts of the Peace Accords. **In addition, international security assistance has contributed to enhance the parties’ ability to fulfil their security obligations under the Accords,** such as enabling the Palestinians to establish the Palestinian Police Force and enhancing their counter-terrorism capacity, a key element in the Peace Accords.

Moreover, the security assistance has also had some influence on (2) “increased security in the perception of the population”, albeit on a more limited scale, by the deployment of the TIPH missions in the Hebron area, one of the areas in the Occupied Territories most vulnerable to rejectionist violence. The restricted scope for a third-party role in security in the Oslo Accord, has, however, prevented larger efforts in this area.

International security assistance has been largely unsuccessful in influencing (3) “executed a comprehensive security sector reform”. The human rights situation in the West Bank and Gaza has in certain areas actually deteriorated under the Palestinian Self-Rule. **An important lesson learned is that donors/contributors of security assistance, in particular assistance to police and security forces, need to organise themselves in such a way that they can effectively put pressure to bear on the recipients to abide by basic human rights norms.**

There has been a fundamental conflict between promoting security for Israel and security for the Palestinian local population. International security assistance has given inputs to (4) “security co-operation between the parties”; especially through the increasingly more important role of the CIA in the security co-ordination mechanisms. **Security co-operation between the parties on various levels has proved remarkably resistant to the ups and downs in the peace talks, and become a stabilising element in the peace process.**

The peace implementation process has not reached a stage where one can hope to fulfil (5) “the integration of the post-conflict state(s) into a regional security network”, although important steps have been taken in this direction. What should be added to our typology, based on experience from the Oslo Process, is “the enhancement of the parties’ capacity to curb rejectionist violence” as a possible criterion for effectiveness of international security

assistance. This cannot be addressed merely as a technical issue of modern counter-terrorism; it requires combined efforts at demonstrating the “benefits of peace” through increased political freedom and an end to human rights abuses.

The findings of this study point to the need for further research in the field of security-related “peace-building” in societies in a war-to-peace transition, as well as for studies on the role of security co-operation in peace processes. The role of intelligence and security agencies in peace processes demonstrates yet another and largely unexplored dimension of security assistance in peace processes. The importance of human rights monitoring as a part of security assistance, through bodies like the TIPH and local and international human rights organisations, is an area which merits further attention, especially in peace processes where the level of hostilities is confined to riots and small-scale armed attacks without regular guerrilla war, and where the security problems faced by the local population are related to the absence of legitimate law enforcement, rather than open warfare.

APPENDIX

A LIST OF ABBREVIATIONS

ACRS	Arms Control and Regional Security (Working Group in the Multilateral Talks)
AHLC	Ad Hoc Liaison Committee
AOR	Area of Responsibility (of the TIPH observer force in Hebron City)
CAS	Civil Affairs Section of the TIPH observer force (May—August 1994)
CBM	Confidence Building Measure
CG	Consultative Group
COPP	Co-ordinating Committee for International Assistance to the Palestinian Police Force
CSCE	Conference on Security and Co-operation in Europe
CSCME	Conference on Security and Co-operation in the Middle East (proposal).
DCO	District (Security) Co-ordination Office
DFLP	Democratic Front for the Liberation of Palestine
DoP	Declaration of Principles on Interim Self-Government Arrangements
Fafo	Institute for Applied Social Science, Oslo
IDF	Israeli Defence Forces
HAMAS	The Islamic Resistance Movement (in Palestine)
JSC	Joint Security Co-ordination Committee
LACC	Local Aid Co-ordination Committee
MOPIC	The Palestinian Ministry of Planning and International Co-operation
MSC	Monitoring and Steering Committee
NDRE	Norwegian Defence Research Establishment (FFI)
NGO	Non Governmental Organisation

NPT	Non-Proliferation Treaty
OSCE	Organisation on Security and Co-operation in Europe
PA	Palestinian Authority or Palestinian National Authority
PFLP	Popular Front for the Liberation of Palestine
PHRMG	Palestinian Human Rights Monitoring Group
PLO	Palestine Liberation Organisation
PNC	Palestine National Council
PPF	Palestinian Police Force
PSS	Preventive Security or Preventive Security Service
SWG	Sectoral Working Group
SWG/PPF	Sectoral Working Group for Police
TIP	Temporary International Presence
TIPH	Temporary International Presence in the City of Hebron
UNDP	United Nations Development Programme
UNRWA	The United Nations Refugee and Work Agency
UNSCO	Office of the United Nations Special Co-ordinator in the Occupied Territories

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