

Arab Thought Forum

Democratic Formation in Palestine

General Report 4

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- 9.6.2001 Jerusalem Israeli Municipality wages the biggest campaign of house demolition where 17 houses were demolished.
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Introduction

The publication of the fourth annual report on the state of democracy in Palestine by the Arab Thought Forum (ATF) comes in the midst of a large scale popular Intifada against the violent Israeli policy which aims at forcing the Palestinian people by the use of force to capitulate and agree to change the texts and principles of international legitimate resolutions regarding Palestine. It also aims at making them accept that humanitarian rights which are stated in international agreements and covenants be violated. In spite of the critical stage, the ATF believes in the need to resume the Palestinian democratic process even at this difficult time when efforts are being made to reach and fulfill the process of national liberation. The ATF doesn't desire to leave any gaps in its follow up of this important matter since the historical value of this report as a reference is of great value for any future demands and investigations.

In light of these conditions, the process of democratic formation cannot reach its full scale as long as the tasks to fulfill national liberation are incomplete. The Intifada has made it crystal clear for a need to complete the process of national liberation and give it its full concepts and implications if it is for the process democratic formation in Palestine to take its due course and complete its different dimensions in a manner that it is possible to include Palestine among democratic states that are committed to the rule of law and the principles of human rights.

Following the savage attack of the Israeli forces, its reoccupation of the Palestinian Territories and its blockage of the proper functioning of public and private institutions, it is natural that the process of democratic transformation will be influenced and it is also natural that this report will focus on the occupational state since it is the greatest obstacle and the most influential on the Palestinian process of construction which includes the essential democratic formation. In this case the fixed and continuous goal of this report is **“to monitor and follow up the movement of democratic formation in Palestine and the determination of outstanding landmarks on the way whether they are positive and support this formation or negative and impede such formation. It is hoped that the largest number of positive indications and the smallest number of negative indications will be detected. The wider is the gap between the two aspects, the more its is in favor of the latter. Consequently the process of democratic formation will gain momentum better”**.

Undoubtedly the continuous publication of this annual report for the fourth successive year is not only considered a challenge and a significant responsibility but also it is an indication of the firm belief in the need to attain the Palestinian goal of establishing a democratic and independent state that has a cultural and human international dimension. The Arab Thought Forum feels that the publication of this report is a national duty that reflects great satisfaction and content since the eventual purpose of the report is to preserve the citizen's interest and the Palestinian public interest which are the main generator and motive towards the preparation of this report.

The ATF has always indicated that its report doesn't seek to show complement or praise nor does it aim at criticizing and blaming; in fact, it seeks to be objective through explaining and analyzing positive and negative phenomena if found. In other words, it points out that the ATF is not with or against, not pro or anti any party; it is

with Palestine and its people especially at this present difficult, critical, crucial and very sensitive conditions along with all the intricate and perplexed feelings that are widely spread. In this report we are not throwing stones; we are only trying to benefit, alert and identify faults. As for our desire, we hope that these faults are noticed and tackled since the accumulation of these mistakes and the increase in malfunctions will lead to impeding the process and even bring it to a halt. The present conditions affirm and demand maybe more than before and in spite of all obstacles and difficulties that the process of internal construction and upgrading be strengthened since it constitutes an impregnable shield against all external dangers. This may, God forbid, lead to more than that. As for remedy and reform, it is a part of the development and construction process which the Palestinian people seek to embody its best bases and backbones.

Methodology and Approach

The general report is a summary of three quarterly reports and twelve monthly reports published by the Arab Thought Forum during the period from January 2001 to December 2001. The reports in its three periodic types monitor the different variables in the process of democratic formation although each type of reports is different in its methodology, preparation and address of targeted issues. The monthly reports monitor news and activities while the quarterly reports give a description and analysis of the most important events and indicators related to democratic formation and come up with specific conclusions relevant to the specific period of time under discussion. As for the general annual report, it analyses all the previous data and determines the strengths and weaknesses in light of the extent of progress or deterioration based on the everyday follow up of events through out the year in addition to providing analysis and summary of views required by the structure of the annual report.

As for information sources, the preparation of the periodic report technically depends on information from the monthly and quarterly reports published by the ATF on the same topic. Then these reports monitor information and journalistic, informative or data news as shown in the reports of government and non governmental institutions and bodies together with reports submitted by international organizations working in Palestine or other parties that prepared special reports on Palestine. It also keeps a follow up of public opinion polls carried out by local institutions and organizations.

Analytically, the activities of the Arab Thought Forum and the Center for Citizen Rights are considered the main source of information in forming different views and attitudes and analyses. These activities consist of a vast amount of views and trends expressed by different participants in the ATF activities. A good number of Palestinian political and intellectual figures are on the list of participants in the ATF activities.

As for the approach of laying out the topics, the ATF has adopted an institutional approach in tackling topics to reflect the comprehensive perspective of the Palestinian society in the eyes of the ATF. It consists of a gradual horizontal and vertical arrangement of institutions and authorities. The ATF doesn't claim that this is the sole and ideal approach in the layout of the report. In addition the ATF has tried when ever it is possible to address the remarks made by the participants in the different

discussion sessions held by the Forum on its previous reports and these remarks are an integral part of the methodology of preparing the present report.

It is essential to notice that the quality and conclusions of the general report are greatly influenced by the availability of data and reports published by concerned parties. Whenever official departments are capable of publishing an annual report on its performance and achievements, it becomes feasible to analyze these reports and connect between its findings to come out with better and more precise conclusions on the process of democratic formation. The reader will notice in this report that when official reports from the concerned parties are available, the reached results will be better.

This report is a humble contribution in the monitoring and follow up of the democratic formation process through the use of certain mechanism chosen and approved by the team in light of the absence of clear, approved and integrated standards to measure and evaluate the process of democratic formation in an analytical, qualitative and statistical manner. In order to compensate for this absence, the report includes whenever it is feasible charts, tables and statistics to prove and support variables and indicators[•]

It is important to point out that the importance of including these tables and charts is not confined to signifying variables as much as aiming at linking the process of democratic formation with the level and extent of services offered by the public institution. Consequently, the ATF understands that it is essential not to limit the process of democratic formation to its traditional and conventional or academic forms as much as linking it with its results and implications on the public and the extent of services presented to it. This stems from the fact that democracy is not a goal in itself but a means to offer better services to the public.

In this regard the ATF pays acknowledges the endeavors of specialized institutions that exerted great efforts in their attempt to provide a quantitative aspect for these indicators.

[•]The first report includes only two tables, the second report includes four tables, the third report includes fourteen tables; as for the present report it includes twenty seven reports

General Perspective

The previous period was difficult and crucial as a result of the escalation in acts of violence and the intensity of the Israeli attacks especially after “Sharon” came into power and found a rich soil to practice his suppressive policy after “Barak’s” government has paved the way for him both politically and militarily. It has accused the Palestinian Authority of being the main instigator and inciter behind the wave of violence on the one hand and the introduction of Israeli military arsenal in the confrontation on the other hand. President Bush's invitation and reception of Sharon after coming into office has constituted a kind of an international protection for his suppressive policy which is based on provocation and destruction. This support is of great importance since it represented a full coverage and back up of Sharon’s bloody history.

As a result of the gradual escalation of Israeli violence and the introduction of heavy machinery like tanks, jet fighters and artillery in the war against Palestinian civilians, the Intifada has consequently transformed from its popular nature into a resistance movement against occupation in all measures. Many of its manifestations have taken the form of gang battles inflicting painful losses in the Occupation forces and its internal front as a result of the Palestinian readiness for sacrifice and withstand of difficulties.

Following up of the events during the past year, it has become clear that the Palestinian people have entered a new stage in the Israeli maneuvers after the fall or the fabricated fall of the Barak government following his failure in forming a national unity government and the holding of general elections which resulted in his failure. After one year and eight months in office, Barak, although achieving a great victory, was exposed to an endless number of crises. It was clear that he was not good as a politician and as a party leader as his voters thought he would be. He failed in the negotiations with the Syrians and the Palestinians, He also dragged himself together with the Palestinian side into an unpredictable state of violence and confusion .

In order to analyze the situation before the Israeli elections, the Forum held a television session on 5February2001 and another TV session on 19February2001 to evaluate the results of these elections
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Barak left the the situation between the Palestinians and Israelis in a state of confusion especially when his successor Sharon decided that he will start his relationship with the Palestinians from square one. In this way he has completely destroyed all the stages reached through agreements, negotiations and secret and public meetings between the delegates of the two sides.

SUMMARY OF THE MITCHELL REPORT RECOMMENDATIONS

The Government of Israel and the Palestinian Authority must work quickly and decisively to halt acts of violence. Then their immediate objectives are to rebuild confidence and resume negotiations.

During this mission, our aim was to fulfill the agreement reached at Sharm el-Sheik. We appreciate the support given to our task by the participants at the summit, and we congratulate the two parties for their cooperation.

Our main recommendation is that the two sides recommit themselves to the spirit of Sharm el-Sheik conference and implement the decisions made there in 1999 and 2000. We do believe that the participants at the summit will fully support the bold actions made by the two parties to fulfill these objectives.

The restoration of trust is essential; the two parties have to take steps to achieve this end. As for the level of hostility and distrust, the timing and sequence of these steps are obviously of great significance. The two parties can only decide this matter. We urge them to immediately begin the process of making a decision.

Accordingly, we recommend that the following steps be taken:

End Of Violence

- The Government of Israel and the Palestinian Authority should to reaffirm their commitment to the signed agreements and obligations. Both sides should immediately implement an unconditional end of violence.
- The Government of Israel and the Palestinian Authority should immediately resume security cooperation.

Rebuild Confidence

- The Palestinian Authority and the Government of Israel should agree on a meaningful “cooling of period” and implement more confidence building measures, some of which are stated in detail in the October 2000 Sharm el-Sheikh Statement and the others were offered by the United States on 7 January 2000 in Cairo.(Please refer to Recommendations Section for a detailed description.)
- The Palestinian Authority and the Government of Israel should resume their efforts to uncover, condemn and discourage all forms of incitement.
- The Palestinian Authority should make it clear to Palestinians and Israelis through implementing concrete practices that terrorism is reprehensible and unacceptable. Moreover, the Palestinian Authority will exert a 100 percent effort to prevent terrorist operations and to punish its perpetrators. This effort should include immediate steps to arrest and incarcerate terrorists who operate within the jurisdiction of the Palestinian Authority.
- The Government of Israel should freeze all settlement activity including the “natural growth’ of the existing settlements.

- The Government of Israel should guarantee that Israeli Defense Forces adopt and implement policies and procedures which encourage non-lethal responses to unarmed demonstrators in order to reduce to the minimum level the number of casualties and friction between the two sides.
- The Palestinian Authority should prevent gunmen from using Palestinian populated areas to fire on Israeli populated areas and IDF positions. This action puts the lives of civilians on both sides at an unnecessary stake.
- The Government of Israel should lift closures, transfer to the Palestinian Authority all due tax revenues and permit Palestinians who had been working in Israel to return to their jobs. It should also ensure that security forces and settlers refrain from destroying houses, roads, trees and other agricultural property in Palestinian territories. We recognize the position of the Government of Israel that these kinds of practices are for security reasons; nevertheless, the economic effects of these practices will last for years.
- The Palestinian Authority should renew its cooperation with Israeli security departments to ensure to the maximum possible extent that Palestinian labor employed in Israel are thoroughly scrutinized and have no contacts what so ever with organizations or individuals involved in terrorism.
- The Palestinian Authority and the Government of Israel should consider a joint obligation to preserve and protect Holy place to Jews, Muslims and Christians.
- The Government of Israel and the Palestinian Authority should jointly adopt and support the work of Palestinian and Israeli non-governmental organizations which carry out initiatives serving the two societies and linking the two peoples.

Resumption of Negotiations

In harmony with the spirit of the Sharm el-Sheikh agreements and understandings in 1999 and 2000, we recommend that the two parties meet to reaffirm their commitment to signed agreements and mutual understandings and take steps accordingly. This should be the bases for resuming full and meaningful negotiations.

Sharon thought that it will be possible to exert pressure on the Palestinian leadership and people by focusing on unilateral security solutions without being met with any Israeli concessions. The only concession he made at the start of taking office is that Palestinians have to accept what they already have. At a later stage, his position changed and he agreed on what he calls “a Palestinian State” on 40% of the area of the West Bank and the Gaza Strip. He then started to exert more pressure on the leadership by putting more terms and stipulations starting with a complete cease of what he calls ”violence”, collection of weapons and ending with the arrest of Intifada activists regardless of their political affiliation. This was accompanied with the Israeli government attempt to empty the Mitchell from its content as a bases for a political solution and transforming it in a way that serves the Israeli interests.

On 24 January 2001, the ATF held a meeting on the political possibilities in light of the negotiations that actually took place in Taba between the Palestinian and Israeli delegates and a number of political figures participated in it

This took place at a time when the USA president George Bush declared that the United States “will not try to impose peace in the Middle East”. This indicates that the United States will give up its declared approach of direct involvement which the former president of the USA Bill Clinton used to follow. This poses a question why there is a demand to call upon Washington D.C. to engage in the Middle East crisis in light of keeping a blind eye on the acts of killing, destruction and siege carried out by the Israeli government. This comes at a time when the European states can play an active role that guarantees and insures a kind of international protection for the Palestinian people, but we find out that these countries have abstained in voting on the UN resolution to this effect and this is explained as an European backing of the Israeli interests. Generally speaking, the Palestinian people considers the American Administration as a pro Israeli since public polls¹ 96.4% believe that the United States is biased towards Israel while 0.02% believe the it is pro Palestinian.

Sharon’s theory is based on a attempt to switch the formula through investing the Israeli local position in support of his policies and an international position which considers the Intifada as disease that need to e wiped out. Sharon has actually put forward a number of different scenarios some of which were put to the public like the “One Hundred Days” plan and “The Three Stages Plan”, “The Thorn Field” and “The Rolling Plan” and others. It is confirmed that Sharon is determined to continue his plans to isolate the Palestinian Intifada and people through focusing publicly and through the mass media on the Palestinian resistance and accusing it of triggering all forms of clashes and the circle of violence. By the same token, he has inflicted great losses and damages on the capabilities, infrastructure and daily life of the Palestinian people.

On the occasion of commemorating half a year on the start of the Intifada, the ATF held a session on 5May2001 to evaluate the current situation; a number of political and academic figures took part in the meeting.

On the issues of the final status stage, the ATF held a session on 2 January 2001 and another TV session on 8 January 2001 on the question of refugees

Since the early three months of the Intifada, the Israeli occupation authorities adopted a public policy of assassinations and liquidation of the Intifada activists and its political and field leaders by using different methods. This policy lead by the end of the year 2001 to the fall of 56 Palestinians in 38 Israeli assassination operations carried out by helicopter gunships and Samson Brigade. In addition, a large number of non-targeted citizens were killed during the implementation of these operations.*

¹Jerusalem Media and Communications Center, Public Opinion Poll,2001

*Assassination operations and the unpremeditated killing of civilians are considered a flagrant violation of the Forth Geneva Convention especially articles 146 and 147. Their violation is considered a war crime according to article 5/85 of the First Annexed Protocol of the Four Geneva Conventions in 1977.Resort to maneuvers and deceitfulness in carrying out these assassinations is also a violation of the Human World Law especially its article 32 item B of The Hague Agreement concerning conventions of land wars which state a ban on killing individuals belonging to a belligerent state and army .

These assassinations come during the escalation of the Israeli aggression which started with the closure of The Orient House and many national institutions in Jerusalem in addition to use of weapons of destruction and attempts to launch incursions into the Territories of The Palestinian Authority.

It is clear that the Israeli government in its obstinate position is preventing the implementation of the “Mitchell Report” issued on 31May2001 and “Tenet Understandings”. It also rejects the idea of having International monitors or observers even if they were unarmed, Americans or have no authorities. In spite of the fact that the committee was formed by a decision from the American President and was headed by a former American Senator known for his support of the Israeli policy and in spite of the fact that its report was mostly pro Israeli, it was unable, as analysts noticed, to overlook the danger of settlement expansion and its influence in aggravating the situation. This has lead the Mitchell recommendations to firmly demand a complete halt of settlement activities including natural growth. This recommendation caused Sharon's government to be discontented and unable to implement the recommendations in spite of Israel's unconditional acceptance of the report. For this same reason the Israeli government is holding fast to the fulfillment of an impossible condition which is a cease fire and a one week period of calm before the implementation of the different stages of the Mitchell report.

The ATF held a session on the development of the specific political situation following the publication of the Mitchell report to discuss the possibilities to monitor a freeze of settlements. An analytical report was prepared to this effect, Also the ATF held another TV session on the same topic on 25June2001.

The terrorist attack on vital locations in the United States of America on September11, 2001 has brought pressure on the United States to form an international coalition to combat terrorism. The processes of rallying international support have started in order to reorganize conditions to meet new variables. The Israeli government headed by Ariel Sharon seized the opportunity and decided to act on it by imitating the relationship with the Palestinians as that relationship between the United States and Al Qa'da organization. It has overlooked the fact that the Israeli government is the occupier of another people's land and has settled in it and exploited its natural wealth and resources. This similarity in relationships was viewed as ironic by all the world with the exception of the American Administration who seems to have convinced itself of the fact that the Palestinian popular resistance to obtain its legitimate right to self defense and self determination is considered a form of terrorism!

Some of the suicide bomb attacks against Israeli civilians have helped to support this attitude. Some Palestinians considered it as a pretext for the Israeli army to engage and use heavy weapons and air shelling in the bombardment of civilian targets. In a Palestinian public opinion poll carried out in June 2001, it was found out that 68.6% of the participants are in favor of the suicide bomb attacks while 26.1% of them supported these attacks in March of the same year.²

For a period of time there was a general approval of this attitude especially after Palestinian groups had carried out armed operations targeting Israeli civilians. This

²JMCC

action in itself constituted a typical form of the conventional terrorist attacks and urged the American Administration in November to announce that “ it is must on the Palestinian leader Yasser Arafat to stop the military escalation by launching a large scale campaign on the two Islamic movements “HAMAS and Islamic Jihad” who have an interest in promoting violence and chaos.”

Major points of The Tenet Plan	
1. Palestinians are obliged to:	<ul style="list-style-type: none"> • The PA will move immediately to apprehend, question and incarcerate members of Palestinian radical organizations which Israel accuses them of preparing for terrorist attacks and had put their names on a list it handed over to the Palestinian Authority. • Names of the detainees will be submitted to a joint security committee • Confiscate mortars and other weapons which Palestinians illegally possess in their violation of Oslo Accord in 1993. • Shut down of factories producing mortar shells. • Pass to Israel all information concerning any plans to stage attacks. • Prevent smuggling of weapons. • Put an end to official incitement to carry out acts of violence against Israel and Jewish settlements.
2. Israel is obliged to:	<ul style="list-style-type: none"> • Will not conduct attacks against any PA civilian or military institutions. • Will not use lethal weapons against demonstrators. • Will take action against Israeli citizens responsible for retaliatory attacks or incitement against Palestinians. • Will re-institute military police investigations into the deaths of innocent Palestinians who are not involved in terrorist acts and fell during clashes with the Israeli Defense Forces. • Will release all Palestinians especially rock throwers arrested in security sweeps and have no association with terrorist activities. • Will redeploy its Israeli Forces to its original positions held before the start of the Intifada on 28 September 2000. • Will lift the closure on the Palestinian Territories and the internal siege imposed on Palestinian cities.
3. Both parties pledge to:	<ul style="list-style-type: none"> • Will move aggressively to prevent individuals and groups from using areas under their respective control to carry out acts of violence or to take shelter in it after stage these acts. • Will meet once in a week to take down to earth procedure to reinvigorate their security coordination. • Will reinvigorate Israeli-Palestinian District Coordination Offices. • Will regularly consult each other at the security level through US-supplied video conferencing systems.

The Israeli plan consisted of four stages to implement “Tenet Plan”

First Stage

This stage according to the Israeli lasts for 48 hours and Israel withdraws from all territories of area “A”. The paper explains that in some places the Israeli forces will not be able to withdraw during this short period of time; however, some blocks and internal closures will be removed in many areas.

The paper adds that during this stage, the Israeli side expects the Palestinian side to exert a real effort in preventing the launch of “terrorist attacks”. This request ,however, does not mean that it is a precondition for an Israeli withdrawal i.e. there will be no other conditions.

Second Stage

The second stage lasts for five days and complements the first 48 hours. During these five days steps will be reciprocal and the redeployment will be tied to security stability in every area in which Israel takes certain steps like dismantling of military bases and blocks together with other facilities. Israel insists that if any area did not have a state of calmness no positive steps will be taken in it to ease the situation. The facilities which Israel talks about include issuing 1000 permits for family visits and a specific number of work and merchant permits.

In this stage, Israel expects the PA to submit a detailed plan on the issue of collecting weapons and the arrest of activists involved in Terrorism acts i.e. acts that are committed during this stage and not previous acts. If there were no attacks, Israel does not request that any arrests to take place.

Stage Three

This stage starts in the second week to implement the items included in the paper, so Israel completely lifts the internal siege, remove barriers, evacuate any houses it occupied for “security reasons”, ease restrictions on the movements of goods and start lifting the freeze on Palestinian money .

Israeli Demands

In return, Israel demands that all “illegal’ weapons be collected and the arrest and prosecution of any individual found guilty for being involved in Terrorist acts.

Fourth Stage

In stage four, the situation will go back to its original condition before 28 September2000. Israel will allow the reopening of Gaza airport. It will allow for the rebuilding of the infrastructure of the Palestinian Security Establishments. It will also hand over to the PA all its due funds and will allow for the return of the Palestinian presence on the border crossing checkpoints as it was before. Things will go back to their previous course before the outbreak of the Intifada.

According to the Israeli paper, the implementation of the “Mitchell Plan” will take place.

The Israeli authorities have exploited this situation in intensifying its aggression on the Palestinian people by house demolitions, field assassinations, closure and the continuous presence of its troops on the lands which are under Palestinian sovereignty. In spite of the American attitude which gave the green light to such aggression, the signals and statements from the State Department and president Bush himself give a kind of hope to finding a solution to the Palestinian cause which is based on the establishment of a Palestinian state which according to Bush “ has always been there in the American vision”.

On 11 June 2001, the ATF held a TV session on the policy, goals and effects of the closure on the Palestinian people.

It seems that the American Administration is trying to contain the Middle East crisis by throwing on the table general statements and is trying to avoid presenting a specific and detailed plan to this effect. The promises of the American Administration aim at easing the negotiation process and making an attempt to have a more flexible position by both parties. According to many analysts, the next process of negotiations will go back to square one within the frame of void negotiations which Sharon is planning for especially in light of the use of the American veto for the second time in one year against the dispatch of international observers force to the Occupied Territories.

Moreover, President Bush invited and met with Sharon for three times and the fourth one will be in February 2002 ; on the other hand, he still refrains from meeting with Yasser Arafat in what seems to be an implementation of a decision he took before coming to the White House. Instead, Bush sent General Anthony Zini to negotiate the way how to embark on the implementation of the “ Mitchell Report” and “Tenet Understandings” after a complete cease of fire and violence according to the wishes of Sharon who did not change his strategy which aims to abolish the Oslo accord and the political process through arrogance and the excessive use of military force in an attempt to oblige the Palestinian leadership and people to capitulate to the Israeli demands and conditions in return for a limited Palestinian self autonomy in the wave of continuous military occupation and the increase in the Israeli settlements in the territories.

The European positions were confined to condemnation and pro-Palestinian statements of support in addition to making financial commitments to fund projects. As for the Arab countries, they have chosen to keep silent in general and their positions did not exceed issuing Doha Proclamation on 20 December 2001 in which they called upon the United States not to take sides with the Israeli policy and not to abandon its role in sponsoring the Palestinian question. No one imagines that the Arab countries will take any real down to earth measures to end the Israeli military occupation or to lift the siege and economic sanctions. Nevertheless, the Palestinians have achieved a noticeable success in gaining a unanimous Arab support for their cause within the theoretical and specific framework. The Arab Summit pointed out that the region is in the midst of internal and external commotion which Israel represents one of its elements. The new American Administration and its incomplete

projects represent another element. In addition, the complexity of relations between the United States on one side and the Europeans and Russia on the other side contribute to the gravity of the problem. Perhaps the most dangerous element is that the Arabic presence is the weakest in this very complex political structure.

Following the tragedy of September 2001, it seems that the characteristics of the world have undergone a radical and swift change. In fact, the new world look has adjusted the already accepted and recognized concepts by all over the world. The war on terrorism has pushed the United States to free itself from the restrictions of the democratic system when it passed exceptional laws and established special military courts. In other words, the fight against terrorism takes place under the rule of emergency conditions and military martial laws which ignore in many instances the principles of human rights. This has made Sharon take advantage of the current condition and try to have a new reality between him and the Palestinian the same as the case with the American position towards Afghanistan. He doesn't care about the fact that Israel is the oppressor force that occupies the Palestinian lands in a manner that contradicts all international laws.

At the internal front, the creativity and initiative in dealing with the Intifada has been formed in three main views:

- One view sees that the Intifada has a function and a role in improving the negotiation conditions and this function has been fulfilled, so efforts have to be made to stop the Intifada and to go back to the negotiations table and not to jeopardize the achievements of the Intifada.
- Another view sees that the Intifada according to its slogan and name "Independence Intifada" has to continue until the full achievement of this goal.
- The realistic view is represented in the framework of the Palestinian national movement which believes that it is essential for both the Intifada and the negotiations to move side by side. In a Palestinian public poll, 67.1% of the participants pointed out that they are against ending the Intifada in return for stopping Israeli settlement activities. Only 25.1% agree to the above mentioned³. In another poll⁴ there was a percentage of 72% as opposition. In spite of this variation in initiative and endeavors towards the Intifada, the efforts to fight occupation and to stop its oppressive practices have been uninterrupted.

In light of these events, there is a decrease in the number of Palestinians who ask for the end of the Intifada and going back to the negotiation table which only result in camouflaging the relationship between the Israeli occupation and the Palestinian people who are under the yoke of occupation. Public opinion polls carried out in the last month of last year indicate that 38% of Palestinians do not believe in the value of political negotiations while 16% believe the opposite⁵. During June 2001, 68% of Palestinians rejected Oslo Accords while 38% supported it⁶. The only Palestinian slogan that should be heard loud and clear is in the end of occupation which is not

³JMCC

⁴Center for Development Studies ,Beir Zeit University, June2001

⁵Palestinian center for Public Opinion, Bethlehem

⁴⁶Center for Development Studies ,Beir Zeit University

allowed to be concealed under the international , partition and regional political movements that cost the Palestinian another infertile decade of useless negotiations.

1.The Institutions Of The Palestinian Authority

1.1.The Executive Authority

1.1.1. The presidency

Last year did not only start with the continuation of the Intifada along with the excessive Israeli aggression but also with the return of an old enemy to Arafat. After twenty years of their serious confrontation in Beirut in 1982, Sharon came back this time as the authorized person to finish what he has described as the unfinished business of the first confrontation which is to assassinate Arafat. In spite of the severe and brutal confrontation, President Yasser Arafat did not refuse to meet with two delegates from Sharon. One of them is Sharon's son who plays an important and central role in his father's administration. The President listened to a message from Sharon in which the latter reiterated his well known position. In return Arafat conveyed to them the Palestinian position which demands a stop of the Israeli aggression according to Sharm el-Sheikh agreement and implementation of the interim agreements and the resumption of the final status negotiations.

Thus the President is living a test perhaps the most significant in its results and the most difficult test he ever encountered. Finally he is fighting his big battle for the first time on his home land and faces two professionals who is both violent man and a deceitful politician. The second report of the Arab Thought Forum on Democratic Formation ⁷ pointed out the great struggle that the Palestinian people have to suffer in order to bring a decisive end to the strategic situation which is relevant to its future. The third report ⁸ pointed out that this struggle has already started. In this report, it can be stressed that that President Arafat has no choice but to pass this test with a result that equals the size of suffering which he and his people had suffered through the past decades.

The President's efforts have continued to put an end to aggression and to go back to the negotiation table through repeated contacts between President Arafat and the two Egyptian and Jordanian leaderships to reach an understanding on the need to deal with all issues as one package and not to deal only with security issues. They have also agreed on a scenario which is based on dealing with political issues on two tracks: First track deals with the implementation all interim issues and the obligations of the

⁷Democratic Formation in Palestine, General report 2, Arab Thought Forum,May2000.

⁸Democratic Formation in Palestine, General report 3, Arab Thought Forum,May2001

two parties. Second track deals with the issues of the final status stage. In his endeavors to stop the aggression and to resume negotiations, the President did not spare any effort in continuing his visits to different world countries to refute the Israeli media strategy which is based on turning facts up side down. He showed that the Palestinian people are not terrorists as Sharon describes them but they are a people who are defending their land and entity and the Jewish settlements are illegitimate and the Israeli policies are the main cause for the Palestinian Intifada.

On the international front, the President was exposed to a vicious campaign against him by Sharon who used all means to distort and defame the image of the President before the world. He also announced that the President is no longer a partner in the peace process in order to justify the systematic acts of violence, killing and destruction against the Palestinian people and institutions. By the same token President Bush stopped his silence and started reiterating Sharon's positions since he called upon President Arafat to stop what he has named "Palestinian terrorist activities". Bush also pointed out that there will not be any negotiations before this condition is met. Furthermore, Bush abstained to condemn the Israeli incursions into the Palestinian Territories. He was also skeptical about the intentions of President Arafat regarding negotiations and the implementation of the "Mitchell Report" and threatened to boycott "Durban Conference" held in September 2001 if the conference organizers insisted on "harming" Zionism by considering it racist. On the other hand, President Arafat agreed to meet Shimon Peres in Berlin following a suggestion made by the German minister for Foreign Affairs to discuss the Mitchell Report in the presence of international observers in spite of the internal opposition to such a meeting since it causes a confusion in the achievements of the Intifada.

The Palestinian leadership never experienced such crisis like the one it had to witness lately since it is unable to obtain the land, spread peace and observe internal stability nor it can enter into a real war with Israel.

The last move of Sharon was to isolate President Yasser Arafat and impose a siege on him in his Ramallah compound since December 3. This action was welcomed by the American Administration as expressed by President Bush on 16 December 2001. He called upon the European states not to invite Arafat and at the same time invited Sharon for the fourth time to visit the White House. Talks in Washington D.C. discussed Israeli suggestions concerning the possibility of finding an alternative leadership since it was difficult to reach an agreement with Arafat. There were different views to this regard. Sharon and his aids were scrutinizing names of possible candidates to succeed Arafat. The American Administration was afraid of the state of chaos that will prevail after Arafat and the Palestinians refused to have any other address but Arafat to deal with the Palestinian question. The world has paid a lot of attention to the issue of the siege on Arafat and the Spanish newspaper "Van Guardian" described Arafat as "the old lion, which is holding fast to the Palestinian question alone."

Excerpts from the President's speech delivered on 16 December 2001

In the midst of these holy and blessed days, I address you from heart to heart and mind to mind to consider striking facts as they are. Let us think together in every affair that concerns us all and let us think rationally of our decisions and attitudes. I am sure that this people has the ability to think clearly and rationally. It has the serene

and unhampered awareness and the will power and steadfastness to qualify and enable it to overcome difficulties and challenges to assert its rights and to protect his holy Christian and Islamic sites which will definitely lead to its great victory on its blessed and free land.

Due to the rank of the Authority and its current and future value, the Sharon government is waging a vicious war against its institutions, establishments, members, officers and security apparatus. It also wages a war against our infrastructure which we worked hard with our brothers and friends to rebuild it. This war is also against our citizens, property, schools, hospitals, fields, mosques, churches and farmlands including olive trees which stand witness on the authenticity and the deep roots of this people in this land and history.

Yes, it is an all out war on the people and its authority, resources, personal social and economic security and against his legitimate dream in building his future which is free from occupation, persecution and humiliation.

From the heart of this suffering and the legendary tolerance and resistance of our people and institutions, I say that this tyrant and unjust war which Israel wages will not subdue the will of this strong people nor will it touch its determination and pride that are not subject to humiliation, and history will be the best witness on what I say.

I would like Brothers in this time to reaffirm that we will not allow anyone to destabilize our great national and cultural project, put obstacles before it, distort its image or forge its pure national Arabic content and meaning.

We will not tolerate the presence of any other authority other than the existing one on this land, society and country. When this authority makes a decision it should be respected. When it makes a pledge, it should be committed to it and when it signs an agreement or makes an initiative, it should enjoy a full accountability for its position.

We have declared a state of emergency and took a series of arrangements and procedures and we will abide by it including the declaration that illegal organizations that practice terrorist acts as outlawed. We have made the cease fire initiative and everybody has to honor it and abide by it.” The Israelis do not honor it nor do they want a cease-fire, but we have to honor what we are doing. “ yes we have to honor this initiative and commit ourselves to it. We are fully aware and well informed of Sharon’s intentions behind his escalated military offensive and his siege of our cities, villages, camps and his occupation of our territories under the pretext of operations against Israeli civilians which we condemned and condemn again.

This complicated struggle that we are suffering from does not allow and should not allow any harm in the accountability of the Leadership and its decisions. We should not allow or give Sharon and his military departments to have all the justifications that he needs to escalate his aggression and provide him with the means to link our legitimate and brave strife with terrorism and killing of innocents.

I reiterate today my approval for the comprehensive and immediate cessation of any operations or acts like suicide bomb attacks which we had always condemned and we will punish its instigators and perpetrators . Also we ban the launching of mortar

shells which serve no aim but give additional justifications for Israeli attacks against our children and women.

Any violation of this decision is considered as an attempt to harm the higher national interests of our people and our Arab nation. Violators will be pursued and harshly punished.

The goal behind this is to reaffirm the righteousness of our approach and options in order to spread calm and stability to implement Mitchell recommendations and Tenet Understandings. Then we will head towards the negotiations table which is considered as the only way to solve the conflict.

I am sure that there is a national unanimity to achieve the aim of freedom, independence and the establishment of the Independent Palestinian State with Jerusalem as its capital within the framework of international legitimate resolutions including 242, 338, 425, and 194 on the issue of refugees and the principle of land for peace.

Now and on behalf of this patient and great people, I send to all Israelis a very clear message and say that we have started dialogue with you many decades ago and some of them remember that. We have fought with the forces of peace side by side in very difficult situations and faced a legal and political deprivation by many Israeli governments in order to make dialogue the basis for common understanding and make political negotiations a means to reach satisfactory results for both sides. Because of our common insistence on dialogue, we were able to reach Madrid, Oslo and other stations on the road towards peace- The Peace of the Brave for our children and their children.

Now I renew our policy by resuming dialogue and calling on the Government of Israel to give up the delusion that tanks and airplanes are capable of achieving of what should be achieved by understanding and negotiations. We are not asking for the impossible nor do we pose a threat on the existence of Israel. We want to return our land which was occupied in 1967 including Holy Jerusalem. International legitimacy support us in this respect. We want the Israeli forces to pull out of these lands including the settlements and the international legitimacy support us in this regard too.

We want the honest, just and impartial implementation of the agreements signed between us; we want to resume negotiations on issues of the final status situation without destroying the preliminary achievements we had in Oslo, Wye River, Camp David, Sharm el Sheikh, Paris, Taba, Cairo and others.

Frankly speaking we want a Palestinian state to the fullest sense of the word with Holy Jerusalem as its capital side by side with the State of Israel. As for the tanks which fill our cities and villages and the jet fighters which are bombarding our areas in a destructive manner that is not approved by international legitimacy, civilized conventions, military morale, siege with all its forms carried out by the Israeli government and collective punishment all of this will never defeat the will and power of the Palestinian people. I reiterate and renew my call to the Israeli people with all its political parties, institutions and government to immediately come back to the

negotiation table and immediately act to end the inhumane and dangerous practices against our people which will only lead to more complexity and cause further moving away from the peace, security and stability in the whole region .

Israeli jet fighters and gun ships bombarded President Arafat's planes and bulldozed the runway of Gaza International Airport and the parking area around the compound. The Israeli tanks were stationed only 300 meters away from the compound. Gaza seaport which was funded by the European Union was shelled and bombarded. On 13 December, the tower and the broadcasting station of the Palestinian Broadcasting Corroboration were destroyed.

The latest of the Israeli provocation of the Palestinian leadership was to prevent Arafat from attending the Midnight mass with his Christian citizens which is a practice he followed for the last seven years.

It is crystal clear that the Israeli government is following a systematic policy aimed at on the one side to inflict the largest amount of destruction in the Palestinian Authority infrastructure, and it aims on the other hand to insult and degrade this authority by insulting its President. However, it is clear that this policy has achieved the opposite of its intended purpose since the public has become more supportive of the leadership, the President and the solidarity among the Palestinians has never been stronger in the fight against occupation and its practices.

In a public opinion poll of the Palestinians, 71.6% of them pointed out that they think that the President is fully in charge of all affairs while 25.8% are not sure of that.⁹ 56% believe that he is performing his duties in the best manner as the President of the Palestinian Authority while 38.9% do not think so. In Beir Zeit university poll,¹⁰ the performance of the President was positively evaluated 58% and only 12% negatively evaluated his performance. By the end of 2001, the percentage of public support for President Arafat was 54.4% while 32.2% opposed his policies.¹¹

Before his siege, President Arafat delivered a speech before the United Nations General Assembly November session in which he noted that the absence of both an international presence from the conflict and a real and serious investigation to find a just solution to the Palestinian question in accordance with the righteous and lawful implementation of principles of international law will definitely bring the region back to the circles of violence, struggle, blood shed and expose the whole region to an explosion. He has called upon the international community to redouble its effort to rid the region of the aggravated crises and the stumble block that hit the peace process.

It is clear that the head of the Israeli government who has reached his position through a long history full of blood shed and building on the nature of the criminal record he has internally and the war crimes internationally, has realized that in order to overcome the obstacles of his past history in his attempt to carry out his bloody plans against the Palestinian people, he has to turn the state of affairs in the eyes of the international public opinion up side down by following a systematic process of

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¹⁰ The Center for Development Studies

¹¹ PCPO

directing insults and humiliation towards the Palestinian people in general and towards the Palestinian President Yasser Arafat in particular. He described the President as “his special Bin Laden”. Sharon has tried to exploit the September terrorist attacks in the United States and the American military operations against terrorism as a pretext to follow the same methods against the Palestinian people which are under the yoke of military occupation and settlements.

At the internal front, the President has set up an official committee to assess damages and losses among civilians and property as a result of the Israeli bombardment. The Sharon government has systematically destroyed civilian locations and military institutions of the Authority. In addition, it has destroyed economic, educational and governmental facilities. It has also uprooted trees and plants and sabotaged all roads in all governorates. All of this has led to an urgent appeal to the UN Security Council to take an urgent resolution to stop the danger of expanding the Israeli aggression and to dispatch an international force to protect Palestinians from the threat on their lives by Israeli soldiers and settlers.

In order not for the Israeli Authorities to take the issue of shooting between houses as a pretext to shell inhabited areas, the President gave his orders to stop shooting from (A) areas. He also demanded that the Palestinian military council halt launching mortar attacks. He also requested that popular resistance committees be dismantled and its members go back to their security apparatus. Furthermore, he gave his orders to find flats for the families who lost their houses as a result of the Israeli demolition policy. He also issued a decision to give financial aids to local authorities to enable them to pay salaries of their employees as a show of his solidarity with Palestinian citizens. The President issued orders to give urgent aids and allocate pieces of land to the families whose houses were destroyed by the Israeli army in Shu'fat camp in Jerusalem and in Rafah south of Gaza in order to enable them to rebuild their houses. He also made his recommendations to allocate two million shekels as an urgent help to Gaza labor force because of the deterioration of their standard of living due to closure. He has also ordered that 15 million dollars will be distributed on laborers in accordance to set criteria put by the Ministry of Labor.

What characterizes the period covered in this report as regards to the activities of the President is his comprehensive speech which he delivered before the opening session of the sixth term of the Palestinian Legislative Council held in Gaza. In his speech, the president addressed all the issues of concern to the Palestinian people in this crucial and decisive period of time. First the President stressed his keen interest in the resumption of the democratic process in spite of the exceptional conditions that are spread in the country. He was also keen on meeting with the representatives of the people and described the Legislative Council as an outstanding national landmark in the country.

The President mentioned that the people in spite of the aggression are still holding fast to peace as a strategic choice and not to conditional peace. In fact it is the peace of international legitimate resolutions. In order to achieve a just peace, the President called upon the sponsors of the peace process the United States of America and Russia, the European Union and the Arab leaders to urge the Israeli government to stop the military escalation, to lift the siege of Palestinian cities, villages and camps,

to reopen passages with Egypt and Jordan, to release frozen assets and to honor terms of references and agreements.

The opposition asked the President to pay attention to the internal front to strengthen it and to carry out a political review in order to meet the plans of Sharon government in a manner that harmonizes with the attempt to exit from the state of double talk and double standard that does not lead to any result but to chaos in the Palestinian house.

On 16 December 2001 the President delivered an important speech in which he promised that municipal and parliamentary elections will be held when conditions are suitable and safe. He called on all factions to abide by the decisions of the national authority and emphasized that any outlaws will be punished and brought to justice. He also condemned suicide attacks against civilians. He affirmed that a unilateral declaration of cease fire is effective even if the Israeli government did not honor it. Moreover he reiterated his commitment to abide by all agreements starting from Oslo and ending with Taba and calling upon the Israeli people to go back to negotiation table to prevent blood shed.

Following this speech there were many internal and external reactions; HAMAS movement announced that it will not abide by the cease-fire and it will resume martyr operations. It will not also recognize any negotiations that call for a national unity. In order to avoid internal fights, both Sheikh Ahmad Yassin and Abdel Aziz Rantissi were put under house arrest. The Democratic Front announced that there is a need for democratic construction through unification of visions and decisions instead of receiving decisions from the authority that does not represent all the factions of the PLO. In Palestinian public opinion poll, it was clear 54.2% support the resumption of the Intifada while 33.5% call for its termination¹² while 52.3% mentioned that they support the president's decision regarding a cease fire and 44.2% opposed it.¹³

The speech came at a time when the majority of the Popular Front members were in the Palestinian prisons. Fatah vanguards refused a free cease fire which will give Sharon an exit from his crisis and export it to the Palestinian house. However, in order to keep the national unity, all factions have finally accepted the decision to preserve the higher interests of the country.

The President has paid farewell through the period covered in this report to two of the main figures in the Palestinian Liberation Organization. President Arafat was on top of thousands of citizens, officials, representatives of political movements and foreign diplomats who attended the funeral of the diseased Faisal Hussein who passed way in late June last year while he was on top of his duty in representing Palestine in the Conference against normalization held in Kuwait. Jerusalem had lost one of its historic figures who was an impregnable fortress in the defense of Jerusalem and its holy sites. The president accused the Israeli government of causing his death since he inhaled Israeli gas just hours in a demonstration before his departure to Kuwait.

The President received condolences in his headquarter in Ramallah following the assassination of Abu Ali Mustafa in late August when the Israelis raised the level of assassinations list. This is a proof that the Israeli government took a new step forward

¹² PCPO

¹³ JMCC

in its threat of the Palestinian political level in a personal and direct manner. Perhaps this new step in assassinations of the political leadership is an indication of the Israeli despair and loss of hope in the effectiveness of assassinating field activists as a way of capitulating and guiding Palestinians.

Concerning the reform process and internal development, it is worthy to quote an excerpt of the President's address of the Legislative Council on 7March2001, " I personally put forward starting from today the issue of laws, reform and the development of the Judicial system on top of our priorities including the draft bill of the independence of law put forward by the legislative Council and the bill organizing courts. Priority will be given to all draft laws relating to the judiciary and courts. Also the formation of the Palestinian Higher Judicial council will be in God's will completed during the next few hours." In a comparison to what has taken place later on, it is clear that during the month of June the President ratified four important Judiciary laws which are: the Law of Foundations of Courts, the Law of Penal Code, the law of Evidences, the Law Organizing Courts ; it is a legal package which contributes in completing the necessary legislative system for the well being of the Palestinian citizen and the guarantee of justice, equality and the rule of law.

STRENGTHS

1. President Yasser Arafat has shown great steadfastness in confronting the policy of Israeli military arrogance. He and the Palestinian people have withstood and tolerated with pride the enormous Israeli destructive force and the attempts to bring about harm and humiliation.
2. The President is leading the Palestinian people in a vicious battle; history will judge whether the policy of the President will lead to disasters on the Palestinians or it will be added to the record of other people who fought against the occupation and achieved its independence and freedom at a high price.
3. Contrary to many rumors about instances of corruption in the Palestinian Authority, it is clear that this leadership risks itself in defending the national interests and this might strongly bring doubt into all the financial violations and accusations against the leadership.
4. The President has actually carried out during three months what he promised and ratified the laws of administrative reform and the development of the Judicial system.
5. The siege imposed on the President regardless of its objectives has increased the public support of the President as a symbol of resistance against occupation.
6. In spite of little supplies and the need to provide aids for victims of the Israeli aggression, there were many quick initiatives to tackle such challenges .

WEAKNESSES

1. The dual policy which the President follows in facing events is not understood by many. When the President's positions recommend that resistance of occupation and the achievement of liberation have to be strongly pursued, he takes contradictory measures that are especially reflected in political detention.
2. In spite of the complexity of conditions and the nature of the Israeli aggressive

position and the imbalance in the military forces maybe it is valid to question if it is possible for the President to exert more effort to prevent the eruption of acts of violence especially with the introduction of weapons in the battlefield?

3. There are not enough efforts to bring about internal reform. Also there is an absence of any reforms and adaptations at leadership level to keep up with the new changes. This gives rise to the question whether this leadership is efficient in any place and at any time.
4. Proclamation of state of emergency without consultation and ratification of the PLC.

1,1,2 Government

It was not possible to introduce any usual changes in the Palestinian government during this year ,in spite of the demands that called for forming a government of national unity to deal with this sensitive period. This demand was not dealt with seriously, and the government continued to perform its tasks not only within very complicated circumstances due to the general condition of the nation due to the occupation assaults and practices with all the practical complications which accompany them, but also in the light of the continuation of the demands for the internal change. This demand for internal change was not called for by the opposition parties, but it was the focal point of the Presidential speech on March 10 which caused a wave of discussions among the Palestinian social and political elites.

The objective conditions which brought about the question of reform emphasized the need to rearrange the internal house in the light of the continuation of the Intifada and the resistance. Repeated calls were made to transform the democratic reform from just a slogan into an active practice. which depends on the availability of active mechanisms, even within abnormal conditions. It is known that Palestinians will continue to live extraordinary conditions as far as the occupation remains, and as far as they continue to resist it. The Legislative Council, the executive authority, and the security apparatuses assume a great deal of responsibility in this matter. The political forces are responsible for the absence of mass pressure and momentum and participation in decision making which shows their complacency of the present condition. In fact some blame the people themselves who usually take a negative attitude towards such tasks.

There is no doubt that the institutionalization of institutions, the commitment to approved national programs, and the reform of financial and administrative laws, as well as allowing others to become active participants ,and the fair distribution of resources ,give the task a comprehensive and social aspect, and make the question of reform not so complicated neither insolvable.

The call to abolish internal weakness and upgrade the level of performance and administrative reform must continue even if they are considered as unusual demands within the present conditions which the nation is going through. The accumulation of events, and the escalation of the assaults of the Sharon government which target Palestinian official institutions oblige ministries and governmental departments to evacuate their staff each time an Israeli air raid is expected. In addition to the fact that their staff are unable to be in their offices due to the several closures whose

duration differs from one area to another. The call to improve the level of performance does not only mean the signaling out of the negative points. Some ministries and official institutions have tried to prove their existence and to continue their basic services to the public, within their limited facilities and under the extraordinary conditions of the nation .They also continued to follow up many of the projects which they started in the previous period.

In a step which reflected its tight financial crisis ,the authority the was obliged to borrow 25 million dollars during December 2001 from the Arab Bank to be able to complete the payment of its staff salaries. The director of the PEC DAR, the Palestinian Council for Economic Development and Construction emphasized that it is expected that the authority may decide to sell its shares in private sector companies if the situation remains as is. In fact that the authority needs 90 million dollars, 62 of which to cover the monthly salaries of 132 thousand civil and administrative employees .

The United Nations Organization for Trade and Development, has stated in its report that the authority's overall standing debt has increased during the last events to reach more than 900 million dollars, which made the Organization again take necessary measures to resume financing the project of general debt, and to help the authority to crystallize policies and strategies to administer such a project. The authority's overall standing debt, the several ways in which it is used, and the possibility of the financial burdens that it may cause, as well as its future influence on the authority's budget and economic development, gave reason to the Minister of Economy and Trade to consider rationalization in external borrowing as a basic demand so as to avoid the mistakes which happened to many developing countries, especially if this debt was excessively used to carry out infrastructure and service projects. Nevertheless, the Director of PEC DAR emphasized that the size of the authority's overall standing debt up till now falls between 10% - 15% percent of the gross local produce, which means that it has not yet reached the degree when it becomes a threat to, or a burden on the authority.

It is important here to observe the degree of sticking to the decision of the Ministers Council regarding the non- entitlement of any Palestinian entity, except the Ministry of Finance to sign an external loan in cooperation with the Ministry for Planning and International Cooperation which is in charge of setting suitable strategies for external borrowing, and for monitoring the gearing of public debt loans to execute projects which are of long-range profitability.

This decision regarding such loans was a result of the failure of the commitment of Arab countries to settle a great deal of their financial pledges to the Palestinian authority which were made in the Arab Summit, to help the Palestinian authority overcome the financial crisis which resulted from the continuation of the Israeli siege of the Palestinian territories, especially in the light of the of the Israeli government's decision not to transfer the financial dues of the Palestinian authority which amount to about 60 million\$ each month .It is known that the Arab countries have pledged to dispense one billion dollars to the Palestinian authority , only 425 million dollars of which were actually received .

The amount of the Palestinian authority's debt has increased considerably, and thus has presented a dangerous influence upon the future process of economic development. In 1998 the percentage of general debt has come to 16%2 of the local gross produce, which equals 11%5of the total of the gross export. Though such percentages are not considered high in international standards, the increase of this percentage within a short period of time has raised serious worries of the dangerous accumulation of the external debt.¹⁴

Table no. 1
The external debts of the Palestinian authority

Year	The percentage of the overall debt to the gross local produce
1994	50%5
1995	8%3
1996	27%8
1997	24%8
1998	52.3%

In the meeting of the pa which took place in December 2001, a state of emergency was declared in all Palestinian governorates, and the apparatuses of general security were charged to apply emergency rules. This decision was announced by general Abdel Razzaq al Majaydeh, chief of general security, and which was considered a loophole by the legal and civil circles because president Arafat, as head of the Palestinian Authority has not done that himself, and because neither a specific duration for their effectiveness has been set, nor the obliterated laws have been defined.

Official bodies have resumed their work, and it was natural that the atmosphere and condition of the Intifada will prevail over the entire work of the government, thus changing most of its activities to fit with the conditions of the Intifada, and to mitigate the results of the Israeli attacks which targeted in particular civil sites in particular, that resulted in closures which contributed to a large extent in creating a state of paralysis in life as well as in general activities.

The work of the ministries and governmental administrations, within the period covered by the report, can be defined in the following manner:

1. Health and Public Safety Services:

Thousands of Palestinians were killed as a result of the continuation of the armed Israeli attack; thousands were injured in one way or another. These conditions increased the burden on health departments, which already suffered from limited facilities. Consequently, great efforts had to be exerted to provide medical treatment for thousands of injured people.

¹⁴ Palestinian Monetary Authority, Sixth annual report, 2000

In the light of the increase of the number of the wounded and injured, the Forum had organized a symposium on the ability of health institutions to respond to the increasing needs ,and their ability to provide the needed services on 14/4/2001.

In that symposium, the deputy director of the Palestinian Red Crescent Society stated that field hospitals were set and equipped to deal with all kinds of light injuries to alleviate the burden on hospitals. At the moment of preparing this report there were 25 evacuation centers, and several strategic store houses were filled with medicines and medical equipment.

The Ministry declared its intention of implementing its emergency plan, and formed two emergency committees in the West Bank and Gaza, after the number of casualties reached 23500 persons in April, 14065 of whom were admitted to hospitals for medical treatment. In order to overcome the obstacles of Intifada, and to enable some of the medical staff were who were prevented from reaching their work places due to the siege imposed on the villages and cities, they were transferred to work in the closest place to their residence. Some were provided with means of transportation, and apartments were rented to accommodate others.

The basic care unit in the Ministry of Health in Gaza strip completed its first phase of the inoculation campaign against child paralysis. A center for the treatment of tumors and blood diseases is under construction in Beit Jala hospital with a cost of 2,2 million dollars. The number of total hospital admissions till the first part of this year increased 35%,and the internal departments received 59217 patients .

Table 2
Distribution of Medical Institutions in Palestine for the year 2000/2001 ¹⁵

Kind of Hospital	West Bank		Gaza		Total No. of Hospitals	Total No. of Beds
	No. of Hospitals	No. of Beds	No. of Hospitals	No. of Beds		
General	20	1767	5	829	17	2436
Specialized	5	524	7	387	48	931
Rehabilitation	3	89	1	30	4	119
Delivery	17	279			17	279
Total	48	2659	17	1896	65	4555

The total number of human loss: The number of martyrs since the break of the second Intifada till the end of 2001 is 1089(13 of whom from the Green Line).The number of the injured reached 32 thousands during the same period.276 of the martyrs were under 18 years of age, and the percentage of the handicapped children increased to include 980 cases.¹⁶

18,4% head and neck
15,4% the upper limbs

¹⁵ Palestinian Central Bureau of Statistics, 2001. Palestine Annual Statistics Book No. 2, Ramallah

¹⁶ Palestinian Ministry of Health Report, Information Center

6,3%the belly and abdomen
22,1% the lower parts
14,5% several parts of the body
11,3% inhaling gas
7,5% general injuries

Thirty one Palestinians carried out suicidal operations,5 exploded themselves before they reached their target. The Palestinians also caused human losses in the Israeli side, which included:

- 208 Israelis were killed during Palestinian operations, and 1523 were injured
- 173 internal murder cases were executed

The Israeli general commissioner of police emphasized that" there was a 337% increase on acts of violence during 2001 in contrast to 2000".This means the occurrence of 1794 operations against Israeli citizens from inside and outside the Green Line in 2001,while 410 operations took place in 2000, and 279 only in 1999, and 208 were killed as the result of these operations, and 1523 were injured.¹⁷

The Ministry of Health suffers from a 40% deficit in its budget as its debt had reached 60 million dollars. The Minister of Health indicated that the total amount of accumulated debts of the Ministry to Jordanian and Egyptian hospitals reached more than 8 million dollars due to the referral of 1200 wounded and 800 difficult cases to these hospitals. Yet the Ministry had improved its comprehensive emergency plan to deal with the effects of the Israeli attacks .These improvements included the areas of manpower, equipment, materials, medicines. A children day- care center was established in Gaza European Hospital. The ministry has established a medical unit in Al Maqasid Hospital in Jerusalem to treat burns .This is the first such unit in Palestine.36 new clinics were added to the cities and rural areas so their total number has become 290. In addition, the building and the equipment of Jerusalem hospital were completed.

The Arab Thought Forum had organized a dialogue session on the question of medicines in Palestine in the light of increase demand on specific kinds after the Israeli incursions. The Forum recommended that a field research should be conducted to investigate the matter. This recommendation was adopted by the Forum which prepared the above-mentioned research and published it. A televised meeting was held on the same subject on7/7/2001.

During the period covered by the report ,the Ministry signed many agreements to improve the efficiency of emergency equipment. It also signed a memorandum of cooperation in the field of the analysis of statistical figures with the Palestinian Central Bureau of Statistics, on the one hand, and with the International Health Organization , on the other. The purpose of these agreements is to collect and analyze health data during the coming three years. The Ministry has also signed an agreement to establish two food centers in the West Bank and Gaza.

¹⁷ Annual Israeli Police Report (11/2/2002, Shlomo Ahronski, General Commissionar of Police

In the symposium organized by the Arab Thought Forum on 26/12/2001, and was attended by an elite group of doctors, and medical- service- institutions ,the participants observed the discrepancy of medical facilities in the Governorates, and the deterioration of the situation because of the siege. Experts had tried to find mechanisms to solve this problem at the beginning of the Intifada.

The Ministry had announced the implementation of a development plan to some hospitals including the establishment of several facilities, a residence for doctors, and other important facilities. The ministry was ready to open two emergency hospitals, one in Qalqilya, and another in Yatta, in addition to the building of many health centers.¹⁸ The Ministry had also completed a series of symposia which resulted in the formation of a coordinating committee which includes all health servers among the governmental and private institutions to improve their medical services.

The public's evaluation of the performance of the Palestinian medical system was good for 80%, bad for 18,3%, while 1'6% didn't have any answer.¹⁹

The Civil Defense Department had to exert tremendous efforts to cure patients and to extinguish fires that were caused by the Israeli shelling, despite its already limited facilities. To upgrade the efficiency of the system, the Department organized a number of training courses on fires and first aid in addition to safety methods. The participants in the meeting of the Highest Council of Civil Defense emphasized the need to establish an institute for civil defense that specializes in fire, safety and rescue, as well as sending experts from the Directorate to neighboring countries to acquire more skills and expertise.

The director of the Civil Defense announced that civil defense will become a subject in the Palestinian curriculum, in order to be able to face the results of Israeli attacks. In this respect, the Directorate opened many training courses on safety and prevention in many schools of the Directorate.

The Highest Council of Civil Defense held a special session in which three follow up committees were established in case of emergency: these are the financial, organizational, and media committees.

The condition of supplies became more complicated with the continuation of the siege, closure, and prevention of movement. When public transportation is forbidden for a long time, sending supplies becomes very rare, sometimes there are carried by animals or by pedestrians. Many areas have experienced a sharp lack of a number of basic supplies, especially gas and some other basic goods, which affected prices and the validity of the stored goods.

The Ministry of Supply is still doing its usual roles for the sake of the health of the citizens in spite of the hard conditions and the siege .It had a “caught” great amounts

¹⁸ According to Ministry Statistics of August 2001, the total number of martyrs since beginning of Intifada reached 678 martyrs from them 127 children, 28876 injures, out of them 437 children with permanent handicaps, and 36 children lost their eyes.

¹⁹ PCPO ibid .

of rotten foods which were packed in Israeli settlements, these were immediately destroyed and those traders who were charged of possessing them were turned to the state attorney .The Ministry had also confiscated great amounts of meat, fish, children milk, some expired canned sweets .the ministry called all business men to print their measures and weights on their goods to be sure of their safety and correction, and had distributed, in cooperation with the emergency committees working in the governorates of the West bank, 33850 food packages to the public.

The losses of the Palestinians increased because of the Israeli practices to destroy and violate the Palestinian environment. The last example of such violation was the explosion of the Israeli sewage container in Gaza, which caused tremendous losses, especially in agricultural products. The Israelis asked the water authority to estimate the damages that were caused by this leak, without committing itself to pay for them. This explosion caused mass damages to two boosting stations that belong to JAWAL, and which provided transmission for large areas in Gaza, in addition to the financial losses which occurred as a result of the flooding of the two stations.

The Ministry announced the formation of three emergency committees to follow up the flow of the Israeli sewage water on Gaza, which are the committee for testing the water quality, and a veterinarian one to examine the nature of the diseases, and one to investigate the influences of such water on the animal wealth. Basic assistance was distributed to farmers.

As far as the Palestinian laborers are concerned, the director of employment in the Ministry of Labor stated that the number of unemployed laborers since the break out of the Intifada came to 350 thousands, i.e.60% in Gaza governorates, and 40% in the West Bank governorates. Consequently, poverty rates reached their highest points, whereby the percentage of the families living under the poverty line reached 40%. The total number of the registered laborers in the ministry at the end of October was 104 thousands,1850 of whom are unemployed women, and the total number of the registered unemployed workers came to 78800,of whom 1150 are women.

It is worth to mention at this point that the Ministry had finished working on 31 draft laws of the labor law number 4 for 2000, which was issued by the President on 20 April2000.The ministry had distributed a one-time financial assistance to 25 thousand Palestinian laborers, where each received the sum of 600 hundred shekels.

The Ministry also revealed that the financial dues which were collected for the Palestinian laborers from the Israeli side from the beginning of the Intifada till the end of august2001 came to 5,297million shekels only.

2. Educational Services

The Israeli attacks did not spare Palestinian educational facilities , the Israeli forces took control of many schools, and turned them into military camps, and many of them were damaged because of the shelling .The educational condition was generally affected because of the policy of road closure, erection of check points ,and forbidding the movement of public transporters .This made thousands of teachers and students walk on foot many kilometers before reaching their schools .Furthermore, many schools were closed for long periods because they were within military closed areas ,or because they were under curfew.

The Ministry of Education had done remarkable efforts in very hard circumstances. It signed an agreement to build tens of classrooms in addition to building and maintaining some schools, as well providing some with equipment ,instruments, and computers, furniture, and training courses. The Ministry had started new specializations in secondary industrial schools .it also finished building new school buildings during the summer holidays in Deir Qais, Al Bireh, Nablus ,and Hebron.

The Ministry made preparations to conduct the General Secondary Certificate Examination, in spite of the closure, the siege, and the military assault. The number of examination halls for this year totaled 253 in the West Bank, and 100 in Gaza. The Ministry mentioned that it had taken extraordinary measures to conduct the exam comfortably in spite of all the difficult conditions and the siege which badly affect both the students and teachers.

The Arab Thought Forum organized a televised dialogue on the opportunities of high school graduates after finishing the Tawjihi.

The Ministry finished its preparations to begin the new academic year including typing and distributing text books, as well as new teacher appointments, and changes in high ranking positions in order to initiate a quality -development in the work of the Ministry. Some female employees were employed in these positions for the first time. It also turned 12 million textbooks to be typed in preparation for the new school year which started as usual on the first of September, in spite of all the bad conditions of the country.*

The Ministry started a make-up program for students to allow them to pick up what they missed during the Israeli incursion. These programs included added classes, and school time, in addition to conducting classes on Fridays and Sundays. The Ministry held a day for free activity in schools to entertain and alleviate the suffering of students, in addition to holding training courses for educational councilors to be able to deal with students psychological problems, which were caused by the death of many their classmates by Israeli army bullets.

The Ministry also announced that it had spent 4 million shekels to its staff from its social support fund as due payments to the legal heirs of dead staff and for the retired ones .It also had organized a training course to prepare qualified science trainers. The first phase of computer training for 6000 teachers in all the governorates was completed, and 400 new computer centers were opened in other schools.

Table No. 3
Number of Schools and Kindergarten for the school year 2000/2001 ²⁰

Responsible party	West Bank	Gaza Strip	Total
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* 700, 000 students will be enrolled in all governorates, of which 150,000 new. The number of schools totaled 1995, of which 1402 Governmental,264,UNRWA,269 Private. The total staff of the Ministry came to 42553 employees.

²⁰ Palestinian Statistics Bureau

	Kinder	Elementary	Secondary	Kinder	Elementary	Secondary	Kinder	Elementary	Secondary
Governmental		725	385	1	167	669		892	451
UNRWA		95			168			263	
Private	596	147	62	214	14	5	810	161	67
Total	596	967	447	215	349	71	810	1316	518

Table No. 4
Percentage of involvement in Kindergarten and schools for the year 2000/2001²¹

	Kindergarten		Elementary		Secondary	
	Male	Female	Male	Female	Male	Female
Average of total enrollment	33.800	31.300	95.800	98.000	53.700	61.500
Average of net enrollment	28.800	26.600	90.700	92.700	40.800	47.500
Drop out	5.000	4.700	5.100	6.000	12.500	14.000

The Ministry held a meeting for department heads and internal control for all the education directorates to discuss their conditions and needs. The Ministry made some changes in the directorates staff were by they were able to join close schools .

The Deputy Minister opened the project of connecting the two headquarters of the ministry in Gaza and Ramallah through the system of Video Conference. The education directorates distributed grants to several school in the governorates especially those that suffer from sharp deficits in their budgets.

The Ministry decided to give financial assistance to students whose houses were demolished by providing them with text books and all school materials. The Ministry started a survey of smokers among Palestinian students to know the size of this phenomenon and to devise a national policy for its treatment .

The performance of Ministry of Education receives the following evaluation from the public: 91,1% thought it was good, 7,7% thought it was bad and 9% didn't answer.²²

The Ministry of Higher Education published a guide for students finishing their secondary schooling to advise them on the Palestinian universities and colleges. This guide includes 11 local universities, 4 university colleges ,6 technical colleges ,11 community colleges ,as well as 22 colleges in Palestine. A constitution for the election of the student senate at Al Najah University was prepared for the first time. In order to face the obstacles imposed by the Israelis on the students, the Ministry devised an emergency plan to deal with the aftermaths of the Israeli aggression by specifying alternative study centers, exam time- tables as well as times for student registration.*

²¹ Palestinian Statistics Bureau

²² Palestinian Statistics

* Number of students in Palestinian Universities for the year 2000/2001 amounted to 75,579 ,35,359 from them are females. Students in Community Colleges for the same yea came to 4964,2853 of them are females. Palestinian Central Bureau of statistics, m.s.

Table No. 5
Universities and Colleges for the Year 2000/2001 ²³

University	Affiliation	No. of Colleges		No. of Students	
		Scientific	Literary	B.A.	Graduate Studies
Azhar – Gaza	Public	4	4	9167	98
Islamic-Gaza	General	3	6	10149	247
Aqsa – Gaza	Public		1	4575	
Bethlehem	General	2	4	1954	103
Birzeit	General	2	2	4791	656
Hebron	General	2	3	2751	
Jerusalem	General	2	6	4359	862
Open Univ.of Jerusalem	Public	2	3	24987	111
Al Najah National Univ. / Nablus	General	4	6	7928	516
Palestinian Polytechnic	General	1	1	1249	
Arab American / Jenin	Private	2	2	2602	151
Colleges					
Palestine Polytechnic / Tulkarem	Public			131	
Al Dawa Al Islamiya / Qalqilya	Public			587	
	UNRWA			96	
Total				37627	2593

3. Infrastructures and Population

²³ Ministry of Higher Education

Israeli use and targeting of heavy arms towards residential sites caused large damages to the properties of the citizens, not only business sites but also residential areas. Number of damaged houses till the end of 2001 was more than 9800, and the amount of the damages was 22 million dollars.²⁴ The Ministry of Housing explained that the Gaza strip immediate losses in housing exceeded 39 million dollars, with hundreds of destroyed houses and public facilities were, and thousands of Palestinian families became homeless. The Housing Minister decided to postpone the payment of due installments for the residents of some housing projects. The Ministry provided many apartments for many of those whose houses were destroyed; in addition to that, the follow-up committee of the President's office gave immediate help to those people. The Ministry handed the international investigative committee a report showing the size of the damage to the housing and infrastructure of Gaza strip, in addition to photographs and a video on Israeli violations of human rights in Palestine.

The Israeli assault was not restricted to rocket and tank shelling, it also included the dredging of land by heavy bulldozers, what the Israelis call engineering works. Besides the military attacks, the Jerusalem municipality used these forces to protect its bulldozers, which demolished in 2001 the total of 35 Palestinian houses in east Jerusalem under the pretext of lack of building license. The number of people affected by these damages is more than 50 thousands.

A committee was formed to study the condition of the affected families especially those whose houses were completely destroyed, and the Ministry of Housing gave 100 dunums for free 500 building blocks to the affected families. In Rafah 26 building blocks were given to 26 families whose houses were demolished in the Brazil quarter, in addition to 2000 dollars given to those whose houses were demolished at the borderline. The Ministry has also signed an agreement with UNRWA to provide houses for refugee families whose houses were demolished by the Israeli bulldozers in Rafah. UNRWA actually started building 58 of these houses. The ministry has also signed agreements with the friends of the emirates to build housing units to rehabilitate the families whose homes were destroyed.

Great efforts were exerted by several ministries, especially those of housing public works, finance, and local government, and by the committee formed by the President in April to gather and the damages. After extending immediate assistance to these houses, a project for fixing the damaged homes started from the beginning of February 2001 by the ministry of public works through the 7 million dollar agreement signed with the Islamic Bank for Development. The Ministry was able to fix 4900 houses, while 3300 ones are still being fixed. Yet the continuation of the Israeli aggression increases the number of these houses, especially that some of those which were already fixed were attacked again and again.

²⁴ Needs of the owners of the damaged houses Arab Thought Forum, December 2001

Table No. 6
Number of Destroyed Houses in Bethlehem District 2000/2001 ²⁵

District	No. of completely destroyed units	No. of partially damaged units	Total	Financial amount of loss
Total	536	8.608	9.144	24.356.804
West Bank	136	7.436	7.572	10.634.116
Jenin	6	498	504	547.324
Tubas	1	26	27	62.392
Tulkarem	8	437	445	214.708
Nablus	5	164	169	282.034
Qalqilia	5	24	29	64.761
Salfit	5	88	93	161.933
Ramallah	40	713	753	2.012.084
Jericho	5	2	7	100.260
Jerusalem	25	45	70	894.722
Bethlehem	18	2.405	2.423	5.175.735
Hebron	18	3.034	3.052	1.118.163
Gaza	400	1.1172	1.572	13.722.688
North Gaza	57	25	82	918.785
Gaza	107	120	227	6.098.010
Middle	42	52	94	1.916.670
Khan Yunis	56	55	111	1.475.551

²⁵ Report from Ministry of the Ministry of Housing on the number of destroyed or partially damaged houses in the Palestinian territories between 28/9/2000 – November 2001

Rafah	138	920	1.058	3.313.672
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The Ministry of Public Works published a detailed report on the roads that were destroyed or dredged by the Israeli authorities since the beginning of the Intifada, and which formed 20% of the main roads in the Palestinian territories.

The Arab Thought Forum prepared a special report on the condition of the houses damaged by the Israeli aggression. This was discussed, and recommendations on it were made during a workshop attended by representatives of the ministries and involved institutions. The workshop was held on-

The Ministry of Public Works finished repairing the Birzeit-Ramallah road which was destroyed by the occupation, and constructed new ones in several governorates .In cooperation with the municipality of anabta, the Ministry constructed the 4 kilometer Ramin- Masudia road .Other agricultural roads were also constructed in the Tulkarem governorate which connect Illar, Deir Alghusun, and Saida, and which are 23 kilometer long ,in addition the 7 kilometer bala road. The Ministry has also finished the construction of a 2 kilometer Einqinya- Batunia road ,and in Jenin ,the ministry constructed the 4 kilometer Kfirat al Manshiya road .

The total number of the lengths of the Palestinian roads for the year 1999was 4924 kilometers, not including the by-pass roads. They are divided between the West Bank and Gaza :4275 km in the West Bank, and 650 km in the Gaza strip.

Road kinds are shown in the following table.

Table No. 7
Length of Road network for the year 1999 ²⁶ (excluding by-passes)

Area	Type of Street			Total
	Main	Regional	Interance	
West Bank	484	625	3166	4275
Gaza Strip	143	217	290	650
Total	627	542	3456	4925

The Ministry of Public Works opened two new roads (Kharbatha,Balin and Safa) which serve 24 villages in Ramallah and Salfeet governorates to avoid the continuous road closures. The Ministry has also started to rehabilitate the Obediyeh-Beit Sahour road, which was destroyed by the occupation. Jericho directorate of public works finished the rehabilitation of some agricultural roads, and the Ministry signed an agreement with the Emirate Red Crescent society to fix damaged roads that would be of use to 21 beneficiaries. The Ministry has started building and repairing the

²⁶ Palestinian statistics bureau

damaged houses in Jericho. The Ministry has published its second report on the repair and fixing of the houses which were damaged by the Israeli shelling as well.²⁷

The Arab Thought Forum organized two open meetings on 30/8/2001, and 20/9/2001 on the policy of house demolition in Jerusalem.

The Arab Thought Forum organized a dialogue meeting on the needs of the handicapped on 24/4/2001, which was attended by specialists.

The Arab Thought Forum organized a symposium on poverty in Palestine on 4/8/2001 attended by experts.

²⁷ The project of rehabilitation of public and private buildings, Ministry of Public Works Report 29/5/2002, and second report 1/9/2001.

4. SERVICES

The Ministry of Posts and Telecommunication has finished connecting many Palestinian villages with the Palestinian network, and signed an agreement to use 970 as its international code. The Ministry has given the agents of Israeli mobile companies one month to settle their status after the Ministry's decision to forbid selling Israeli mobile phones in Palestinian markets. The Ministry was able to repair the largest damages, which resulted from the Israeli military incursions. This operation is still on because of the continuation of the Israeli aggressions.

The Ministry of Transportation decided that the service of vehicles made in 1981 will last till the end of this year. A ministerial study estimated the size of the losses in the transportation sector about 851,5 million dollars, 14'5 of which are immediate while the rest are for the long-range. The Minister of transportation stated that many metrological sites and equipment were destroyed by the Israeli attacks.

In spite of the destruction of hundreds of public and private transporters through the shelling or the bulldozers, and the deterioration of the condition of transporters in general because of the obligatory use of side and rough roads, the Ministry decided to introduce a 20% decrease in the transporters till the end of the coming year.

After the Israeli authorities allowed the entrance of the necessary equipment to enable the generating station to work directly, the authority of energy resumed its work. The foreign team of specialists in this field is supposed to come back to Gaza after they had left it due to the previous conditions.

The director general of the electric company stated that the debts of the Palestinian energy company reached 70 million shekels, so it has become necessary that citizens pay their dues so they can be paid to the Israeli side who is looking for excuses to cut the electric current in Gaza. The company created new programs to avoid some problems, and it added three extra generators to its network to strengthen the electric current, and to supply the greatest amount of energy to Jabalia, Beit Hanon, and Beit Lahia. So the existence of a electric-generating station has become a necessity to ensure the continuation of the electric current.

The water authority signed an agreement to legalize the infrastructure projects of the authority within the framework of the Palestinian-American cooperation with an estimated cost of 75 million dollars.

The authority has dug four wells within the first phase of the program in Bethlehem and Hebron, which will bump 700 cubic meters annually. The authority is now digging a number of wells in southern Jerusalem to secure additional amounts of water to Bethlehem and Hebron areas. In the third phase, a station for handling sewage water will be built in Hebron. In addition to this station, there is a commitment to build a similar one in Bethlehem which will also serve Abu Dis and Eizariyah. Besides the agreement of the transfer of authority on the water projects, an agreement was signed between the American agency aid and the Jerusalem electric company for the worth of 1,6 million dollars to secure the permanent electric current to all wells which are financed by AID, and are direct control of the water authority.

The Ministry for Planning and International Cooperation signed an agreement to finance water projects. The first of which includes establishing a 40 kilometer water network in Abu Dis, Alezariyah, and Alzayim in the Jerusalem governorate. The second project will serve Gaza governorates, and the third will enable the west bank water authority to improve the administration of water supply. The authority signed an agreement to support Salfit water projects, and Albireh sewerage projects, as well as projects for dealing and processing solid refusals in the west bank. This project will be comprehensively supervised by the Ministry of local Government.

The Ministry of Local Government, during the Intifada, emphasized on transforming the projects and programs under its control, to be geared towards job-creation especially after the tremendous losses in the sector of labor due to the policy of the Israeli occupation, which caused the decrease of funds, allocated for the labor force.

The Ministry signed several international agreements to finance infrastructure, housing, as well as mutual development projects dealing with the infrastructure, sewage water, the implementation of the second phase agreement for the development of the rural areas, as well as job-generating projects. In addition to all these, the agreements will finance the enlargement of schools, water and sewage products, construction of agricultural roads and kindergartens.

In spite of the siege imposed on most areas, many municipalities have worked on improving their central electric distributors, and the high-pressure cables, and were able to connect the bombed areas with the electric current.

The local councils have not remained idle, some have gone on their projects of planting trees in some streets, and constructing some public parks, as well as constructing and rehabilitating pavements in major streets.

4. The Ministry of Social Affairs and Social Welfare

The last events have increased the burdens of the Ministry of social affairs, especially with the increasing number of martyrs, wounded people, and prisoners. The Ministry tried to assist these people through its emergency programs in cooperation with private societies. The ministry has so far achieved the following.

In addition to this, the large numbers that were added to the Intifada wounded, demanded great preparations. It is obvious that neither the facilities, nor the readiness were enough to respond to the great number of handicaps.

The program of intervention during the crises started in November 2000, with the participation of 108 societies, and benefited more than 5000 children. During August 2001, the Ministry distributed food packages to 31900 families in Gaza, and to 29600 families in the West Bank. These were distributed as part of the emergency assistance program.

The Ministry distributed food supplies to its registered cases in the West Bank and Gaza. This activity was supported by the World Food Program. The Ministry submitted the draft of the executive law of the handicapped number 4 /1999, after consultation with the experts, to the Fatwa and legislation office. The Ministry is

waiting for that office to give its comments, and then the law will be approved by the Minister's Council.

5. Trade and Commerce

There is no doubt that biggest price of the Israeli practices, such as the closures and the siege, is paid by the Palestinian economy with its several sectors. This price is reflected in the heavy losses incurred to the private sectors, the weakness and slowness in business activity, the decrease in marketing opportunities, the lowering of prices, and the decrease of the amount of the produce itself.

This does not only affect the national economy, it also affects its projects, and their ability to continue functioning. It also affects income levels, standards of living, as well creates a dangerous situation because of the increasing numbers of the social groups which are within the poverty line. In this respect, the Ministry of Commerce is trying to formulate a long-range national strategy which ensures the development of the Palestinian economy in the continuation of the Intifada, and enables it to face and solve its difficulties in a drastic fashion. This must be done with the cooperation of the private sector, and the representatives of the relevant social groups, the most important of which are the ones whose economic and living standards are worst affected by the Israeli practices.

Table No. 8
The main economic indicators in Palestine ²⁸

Indicator	1994	1995	1996	1997	1998	1999	2000
Population no (million)	2.361	2.454	2.554	2.840	2.958	2.085	3.224
GDP	2.833	3.504	3.878	4.182	4.464	4.954	4.579
GNP	3.216	4.055	4.546	4.914	5.617	6.125	5.466
GDP/ capita	1.222	1.411	1.474	1.503	1.541	1.641	1.484
GNP/ capita	1.388	1.632	1.728	1.766	1.939	2.028	1.771
Consumption	3.755	4.125	5.011	5.299	5.435	5.920	6.093
Private	3.178	3.641	4.230	4.148	4.227	4.646	4.870
Government	577	485	780	1.152	1.208	1.273	1.223
Unemployment%	25	18	24	20	14	12	14
Inflation%	14	11	8	8	5	5	3
Public Revenues	400	549	928	954	1.084	1.136	1.364
Domestic	268	411	684	648	754	901	964
Donations	132	138	244	306	330	235	400

²⁸ Palestinian Monetary Authority

Public expenditure	383	635	928	1.113	1.193	1.194	1.364
Current	297	501	710	790	819	927	940
Capital costs	85	134	218	323	375	267	424
Deficit/surplus before donation or grants	114-	223-	243-	465-	439-	293-	400-

It is worth to mention that the Palestinian Authority has presented three programs to the Islamic Development Bank to address the conditions, which were brought about by the Israeli practices. One is an employment program worth of 150-200 million dollars to employ those who lost their jobs due to the Israeli practices, in addition to another fund to support national companies and institutions.

The Ministry announced that seven Arab countries have agreed to exempt the Palestinian products from customs and taxes. These countries are: Saudi Arabia, Yemen, Iraq, Tunisia, Bahrain, and Syria. An exhibition of Palestinian goods took place in Amman, and was organized by Baltrid Institute. On the other hand, Palestine participated for the first time in Damascus international fair with an independent suite at the end of August; 2001. The Ministry opened a database for the World Trade Organization, and the International Organization for the Rights of Individual Property. This is one of 18 authorized centers in the world.

The Palestinian Central Bureau of Statistics announced the results of the field survey which it conducted on the effects of the Israeli practices on the economic condition of the Palestinian family, and the effectiveness of the financial and material assistance received by that family in strengthening its economic steadfastness, as well as the decrease in the work day during the first quarter of 2001. The survey also addressed the Palestinian family's consumptive behavior through the study of the extent of that family's interaction with the national products, and the difficulties it experiences in reaching medical services because of the inability of medical staff to reach their places of work due to the practices of the occupation and the citizens inability to pay for the cost of the needed services due the sharp decrease in their income.

The Head of the Statistics Bureau announced the result of a new survey of poverty that the percentage of families that live under the poverty line came to 70% which is more than two million citizens, and that 14% of the total number of families lost their entire income, while 40% of them lost half of their income. He also announced that the number of the unemployed increased in the third quarter of 2001 to become twenty-nine thousand workers that form 36.5% of the labor force because of the Israeli siege.

The number of the unemployed people reached 285 thousands in the last quarter of 2001, which represents 35.5% of the labor force for the same period. For the sake of

contrast, one should remember that the percentage of the same period in Israel is 9.3%, and in the European Union countries is 7.6%.²⁹

The percentage of the dependency increased 35.4% in one year, which is 4.8% in the third quarter of 2000 to 6.5% in the fourth quarter of 2001.

The percentage of those whose incomes are less than the poverty line (1646 shekels) increased to 45% during the last quarter of 2001. The Bureau was broken into by a number of Israeli forces which remain their from 11 pm to 5:30 pm and caused so many damages. The work of the Bureau stopped for three weeks because of the destruction of many of its machines and equipment. The Head of the Bureau announced that the size of the losses that his Bureau suffered from as the result of the Israeli shelling came to 5 million dollars.

The Israeli aggressions, shelling, and dredging, did not spare the Palestinian factories. Tens of them were deliberately destroyed either by tank shells or shelling from the air or by land erasing.

The Ministry of Industry announced that the losses of the industry sector came to hundreds of million dollars. The ministry tries to establish a twenty million dollar fund to support the small industrial sectors through offering them easy loans.

The Ministry endorsed measurements and granted 120 supervising certificates in the sector of food industry, and 30 quality certificates in the year 1994. Statistics proved that the Palestinian industrial produce suffered from a 15% decrease during the months of the Intifada. The Training Department of the Ministry of Industry carried out a training program on data technology in industrial works in all the governorates.

The Ministry of Industry agreed with its Jordanian counterpart on the mutual acknowledgement of the measurements issued by each country, and on exempting the products of the two countries from the laboratory test, provided that they have a certificate of origin and the endorsement of the institution of sizes and measurements in the country of origin.

In spite of the siege and the emergency conditions, the Ministry of Industry completed a training session on the implementation of quality managerial rules inside industrial plants, which emphasized achieving national industry, which is competitive and has a world quality and suitable price. 36 factories were listed and will be followed up to reach the competitive level, until they become of competitive quality not only at the local level but also at Arab and international ones. The ministry opened four sessions in the field of planning and modern industrial administration, professional safety and risk control. There was also a training session on industrial safety rescue specially after the increase of the Israeli attacks on industrial workshops. The ministry started in carrying out a free instruction project to improve the food industry section in cooperation with the institute of sizes and measurement and the co-operation of food industries.

The ministry of agriculture executed several vital development projects in many villages, and started to distribute assistance to the citizens within the emergency project for employment. It gave a 4500 shekel grantee for each beneficiary to dig

²⁹ The results of the survey of manpower

water well. On the other hand, the ministry announced a water collection project in Gaza stripe, which includes building and equipping 3530 cement pools for irrigation.

The ministry decided to forbid the entrance of the Israeli agricultural products into the Palestinian markets, and this respect a mutual committee from the ministry of agriculture and the customs department in Tulkarem destroyed amounts of Israeli fruits, which were smuggled to the Palestinian markets. The ministry reclaimed hundreds of Dunums within

The project of land reclamation. The ministry finished constructing several agricultural roads in several governorates.

The directorates of the ministry completed distributing hydration assistance to the owners of livestock who where affected. They also started a first phase of the comprehensive agricultural development projects which includes compensating the farmers by giving them seedling of the trees that where uprooted by the Israeli bulldozers.

The directorate of agriculture started to distribute various forests seedlings to the farmers to avoid the losses due to the land dredging by the occupation bulldozers. The ministry announced number of projects with the worth of 4.3 million dollars to support the agriculture sector.

The minister of tourism emphasize that the total number of losses in the tourism sector in Palestine came to 300 million dollars from the beginning of the Intifada until the august 2001.

6. The General Budget of the Palestinian Authority

The ministry of finance delivered the general budget of the year 2001 on the fourth of April after a five month delay from the legal time to deliver such a budget, which two months before the end of 2000, due to the conditions that the country is going thru.

The size of the budget was generally kept as it was in 2000 with a decrease of 55 million dollars, i.e. 1679 billion dollars. The most important change in budget was of the amount of local incomes, which totaled in the budget the amount of 581 million dollars. The general expenditure was increased to reach 1091 million dollars most of which allocated to cover the amount of salaries which the authority pays for its employees (86 millions). The number of the new employees came to 6 thousand during the last quarter of 1999 (three times more the set number in the budget). 4250 employees where hired in the last quarter of 2000 in contrast to 3400 employees who where set by the budget to cover the whole of 2000.

Such increase of employment where done in a rather impromptu, and did not respond to real needs. The sectors of justices, law, health, education are still suffering from a decrease in their staff. It's expected that the total number has reached 112.500 employees at the end of 2000.

Table 9A
Income and expenses in the general budget for the year 2001 ³⁰

General Income	General Expenditure		Expected Deficit	
Local Income	581	Operating	1091	510-
Donations	117	Development/ local	38	79
Development grants	550	Development / Grants	550	00
Loans	60		1679	60
Total	1308			371-

Table 9B
Details of Income and Running Costs

Details of Public Income		Details of running costs	
Taxes	50	Salaries	686
Customs	200	Operating	173
Value added tax	259	Others	218
Non-tax income	72	Capital	14
Total	581	Total	1091

The Government estimated the estimated deficit in the budget project to total the amount of 371 million dollars. The total of general revenues totaled 308 million dollars divided in the following manner: 581 million dollars from internal revenues, 117 in the form of donations, 60 millions as easy loans. And 550 millions from the donations given to finance development projects.

One observes that the size of the internal revenues for 2001 had become less than that of 2000 because of the Israeli aggression. It dropped down to 383 million dollars, while it was 964 million dollars in 2000, it became 581 in 2001. The internal revenues include 50 million dollars in income tax and profits, 200 million dollars customs, 259 in the form of value added tax, while the non-tax revenues amount to 72 million dollars.

The general expenditure in the 2001 budget came to 1 billion dollars and 679 million dollars, the amount of running cost init comes to 1 billion dollars and 91 million

³⁰ The timetables are derived from the project of the draft law of the general budget for financial year 2001, presented from the Ministry of Finance to the Legislation Council in 15-3-2001

dollars distributed on salaries and wages in the amount of 686 million dollars, and work expenses totaled 193 million dollars, while the normal capital expenses came to 14 millions, and the referral expenses came to 218 million dollars.

The government estimated the development expenses to be 588 million dollars, some of which went to development projects financed by the state treasury with 38 million dollars, plus 550 million dollars from donor countries. The deficit in the 2001 general budget is a turnover debt due to the occupation suppressive practices against the Palestinians. Thus, the total losses till the end of 2000 are estimated to be 3 billion dollars.

The total amount of the authority's outstanding debt is 791 million dollars, which represents 7% of the gross local produce. The available statements in the budgets of (1997,1998,1999,2000) point to the decrease in the international assistance because it is linked to the developments of the peace process, and because its role as an incentive to the development of the t Palestinian economy has been shifted .

Table No. 10
The summary of general budget for 1997- 2001 ³¹

Statement	1997	1998	1999	2000	2001
General Income	954	1084	1136	1364	1308
Local income	684	754	901	964	581
Grants and assistance	269	330	235	400	117
Public expenditure	1113	1194	1194	1364	1677
Running costs	790	853	953	940	1089
Developmental costs	323	341	241	423	550
Deficit	159	109	58	Zero	526

The decrease in international assistance is also observed in the level of commitments to finance the development budgets. In contrast to expectations, for example in 1997,the real sums received did not exceed 269 million dollars, i.e. 32% of the total sum of expectations, in 1998, the received sums were 330 million dollars, i.e. 37% of the expected donations. In 1999, the received sums of 235 million dollars, constituted 34% of the total expectations.³²

The Arab Summit held in October 2000 in Cairo decide to transmit 1 billion dollars as immediate assistance to the Palestinians, the real sums that were sent did not exceed 425 million dollars till the end of 2001.

A study of the budget within four years, i.e. 1997-2000 shows the improvement of its figures. The revenues slowly increased from 953 million dollars in 1997 till it reached the sum of 1364 million dollars in 2000.the internal revenues decreased to 1308 million dollars in2001.the general expenditure came to 1113 million dollars in 1997,and gradually increased till it reached 1677 million dollars in 2001.at the same time the general deficit decreased from 159 million dollars in 1997 to 109 million

³¹ Table derived from reports of the Legislative Council

³² Quarterly reports of the Ministry of Planning and International Cooperation on assistance fund

dollars in 1998, then it became 58 million dollars in 1999, until it completely disappeared in 2000. Later, it increased to reach 371 million dollars in 2001. The positive development in the budget is basically due to the revenues in local taxes which increased to be 345 million dollars through four years. In 2000 alone it was 228 million dollars, though the last quarter of the same year witnessed a clear economic regression as the Intifada continued, and because of the Israeli military practices. In 2001, the local revenues sharply decreased to become 58 million dollars, i.e. lower than they were in 1997.

The Ministry of Finance announced that it would cash the third installment of financial assistance, which is about 11 million shekels to support the 22 thousand unemployed workers, so that each would receive 500 hundred shekels. The ministry also worked on securing 250 work opportunities to employ the farmers of Almawasi in Khan Younis, and to help them continue with their lives.

The Ministry announced that the revenues of the authority receded due to the siege to 17 million dollars monthly instead of 90 million dollars. The deficit in the budget of the authority amounted to 400 million dollars after it reached 205 million dollars in 2000.

The Ministry of Finance expects the deficit in the budget to reach 350 million dollars in 2002.

The value of the deficit in 2001 was 320 million dollars.

The total value of amounts due to the authority and which the Israelis till the end of 2001 hold amounted 520 million dollars.

The total value of the losses incurred by the Palestinian economy from the beginning of the Intifada till the end of 2001 amounted to 7,5% billion dollars.

The monthly revenues of the authority decreased to 10 million dollars instead of 90 million dollars.

Financial compensations pledged by the Arab countries to be paid through the Islamic bank for development at the rate of 45 million dollars monthly until the end of march, 30 millions dollars of which are payable as loans. (these loans can be transformed into a grant at the coming summit in Beirut)

Covering the taxes from the donor countries (the European union) which allocated 40 million euros till march of which 10 million dollars are paid monthly (to cover salaries and 10 million dollars were allocated as aid to support different sectors)³³

In such circumstances which Palestine is undergoing, it seems necessary that the executive authority devise an alternative emergency budget in which expenditure and revenue collections are carried out for short periods, or to resume working with the old budget until the new budget is endorsed. When the revenues and taxes are collected according to previous rules. This can be alternatively be done by adjusting the period by setting an extraordinary budget for more than twelve months. This

³³ Mohammad Jarada, Deputy Finance Minister, Al-Ayam 15-1-2002

entails an act by the legislative council to amend the laws of the budget as well as those of the constitution.. Some countries set their budgets under these conditions in order to facilitate the vital and important activities of the country until the law of the budget is issued. But in this case, the legislative council has to be in charge ,not the government.

International Assistance

The Ministry of Planning and International Cooperation has not yet published its report on the assistance from the donor countries, as it has regularly done before .The available information belongs to the third quarter of 2000, issued by the ministry. ³⁴

According to this report, the total sum of pledged donations within the last five years came to 4,641 billion dollars, which equals 81% of the total sums pledged in the last five years. the sums which were actually transferred amounted to 3,057 million dollars,(404 millions in loans).from the total amount of transferred funds ,285 million dollars went to the non-governmental organizations, and the rest to the governmental institutions, i.e. the percentage of 66% from the total amount of transferred money went to the non-governmental organizations ,and the 53% went to the governmental institutions. When we contrast these figures with those of 1999, it becomes clear that the total amount of transferred funds till September 2000 came to 467 million dollars. It was announced that 150 million euro units have been transferred to the Palestinian authority as emergency funds.

It has become important to activate the role of the donor countries, and the renewal of their commitment, especially at this time when the financial burdens of the Palestinian authority have increased, and its income has decreased.

The Ministry of Finance has expected the donor countries to hold their special conference to discuss the deterioration of the Palestinian economic situation, and to find ways to give the needed support to respond to the financial and economic needs of the national Palestinian authority to ensure the alleviation of the size of damages incurred to most of the Palestinian sectors as a result of the continuation of the Israeli aggression since the beginning of the Intifada. The total amount of funds given to the Palestinian authority is estimated to be around 150 million euros, paid as monthly installments to be paid till the end of December.

It is important to point here that the donor countries have pledged to give 3 billion dollars assistance to the Palestinian authority since the moment of its inception ,yet this pledge was lowered to a 51% which made the actual average of the commitment of the donor countries assistance to be estimated as 10 million euros paid monthly through the last years that preceded the Intifada.

³⁴ MOPIC's 2000, 3rd Quarterly Monitoring Report on Donor's Assistance

Table No. 11
Assistance Given by Donor Countries ³⁵

Year	Confirmed sums in Million Dollars	Amounts Spent
1994	829	504
1995	651	425
1996	744	514
1997	699	553
1998	641	425
1999	649	473
2000	527	162
2001		*675

The size of assistance given by the Arab countries to the Palestinian people from the beginning of the Intifada till the end of December is about 425 million dollars which were transferred thru the Islamic bank for development this sum was part of the original which was declared in the Arab summit held in November 2000 in Cairo in which the Arab pledged to pay 1 billion dollars.

Table No. 12
Distribution of Confirmed Assistance among various sectors for the period 1994- April 2000 ³⁶

Sector	Total amount for the period	Agreement during 2000	Sector	Total amount for the period	Agreement during 2000
Sewage	429	48		57	8
Education	365	26		30	-
Institutions	568	287		33	5
Health	251	43		74	48
Infrastructure	219	94		25	4
Housing	105	8		15	2
Promotion of democracy	98	6		10	-
Police and Security	110	19		12	3
Transportation	164	74		6	-
Productive sector	139	57		4	-
Humanitarian assistance	129	47		9	6
Human and social development	58	58		17	
Energy	62	6		47	
Water	429				
	27				

³⁵ MOPIC's 2000, 3rd Quarterly Monitoring Report on Donor's Assistance

³⁶ Ibid

The Palestinian Monetary Authority

The monetary authority finished the workshop on the implementation on the new statistical and financial graphics for the working banks within the Palestinian banking system. This activity took place after the completion of a control guide by the Palestinian Monetary Authority has started to apply the international used measures including that of financial analysis this system classifies the evaluation process on five bases which are capital, origins, administration, profitability, bank cash flow. Examples or these new statements will be distributed to the banks to be filled by the beginning of June 2001. The banks were given the chance to modify these examples and to give their comments on their contents.

Table No. 13
No. of Banks and its Branches in Palestine ³⁷

	No. of Banks	No. of Branches
Local Banks	10	58
Arab Banks	11	65
Foreign Banks	2	3
Total	23	126

7. Justice

The Department of Fatwa in the Ministry of Justice had finished preparing a number of law drafts including the draft of the civil and commercial laws in co-operation with groups with the specialized committees that included lawyers and legal experts.

The same department had set a legislative plan presented in drafts of vital laws including civil, commercial and bank laws which helps in activating legislative process.

In a questionnaire on the performance of the Palestinian authority and the ministers council, the authority received an evaluation (more than good) by 61.5%, while the government received the same evaluation 57.9%. ³⁸

Palestinian Authority		Legislation Council	
Very good	6.9%	Very good	21.8%
Good	55.6%	Good	36.1%
Bad	23.1%	Bad	31.2%
Very bad	11.2%	Very bad	31.2%

³⁷ Palestinian Monetary Fund, statistical bulletin January , 2002.

³⁸ JMCC

No answer	3.2%	No answer	10.9%
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8. Freedom of Opinion and Expression

The question of the freedom of opinion and expression has a unique position in the Palestinian territories because it carries contradictory aspects, which makes anyone explain things the way that fits his visions. The opponents of the Palestinian authority and some of human right institutions can find the examples of cases that influence the freedom of opinion and expression thru examples of closing some local T.V. stations and forbidding the distribution of some newspapers and the arrest of and interrogation of some journalist. The proponents of the Palestinian authority find examples that prove that the freedom of opinion and expression in the Palestinian territories exceeds that found in any Arab country and in many countries around the world. They find these examples thru published local reports that criticize or thru symposia and conferences member of the opposition and any participant to pose criticisms to any of the symbols of the authority without being under any kind of subjection.

Table No. 14
Private Media ³⁹

Year	No. of Newspapers	No. of Journals	No. of Local Media	No. of
1998	13	42	8	15
1999	13	33	10	18
2000	16	32	11	28
2001	16	30	12	31

And in front of the enormity of the Israeli aggression during 1991 no crises in the expression of opinion has been detected. The condemnation and anger where directed towards the barbaric Israeli practices in a spontaneous expression against such practices. Except some sharp criticism which took place at any time against any Palestinian decision to execute arrests and measures against political trends, no other meaningful criticisms where detected .

These criticisms where expressed in different forms such as the statements that are published by parties political and private parties, some of which are also published in local newspapers. They were also expressed through public symposia organized by the institutions of civil society. There was no observable counter action by the authority in general, yet it must be recorded that the office of Aljazeera T.V. was closed for a short while, and its corresponded was forbidden to interview the official of the Palestinian authority for the same period. Some limited messieurs, and for short periods where taken against a number of a news ageneses which where accused of publishing incorrect and offending news. Maybe it is important to make a comment regarding of the absence of essays or critical opinions against Palestinian practices which could be wrong, and which were committed during the Intifada. There is no doubt such a practices exist and the assumption that the fact that these were not published does not mean they do not exist , neither does it mean that their publication was prevented by the authority. In fact this is due to their writers fair that they

³⁹ Palestinian Central Bureau of Statistics

intentions could be miss understood or that they can be exploited by the Israeli media or because of the feeling that the nature of this period does not tolerate busying our selves with such issues in the midst of our great confrontation with the forces of the occupation . moreover, than they can have an effect on our national unity and readiness.

Whatever the cases this question requires reevaluation were critical thinking can be enabled thru the development of general immunity for the citizen, which characterizes democratic societies in general.

The evaluation of the Palestinian public of the freedom of opinion and expression has been clarified through a questionnaire. *The results of this questionnaire are: the freedom of expression in the Palestinian broadcasting corporation is good in 86.4%, and in the Palestinian T.V. receives the same evaluation with the rate of 83.6% and a evaluation of bad with the percentage of 9.5% and 13% only to both institutions consecutively .

Table No. 15
United Budget for the Banks Working in Palestine ⁴⁰ (Million Dollar)

	1996	1997	1998	1999	2000	2001
Deposits	1706	2067	2390	2823	3470	3371
Facilities	424	613	822	992	1328	1180
Outside assets	1392	1640	1775	2148	2316	2399

In spite of the increase of the local facilities, they have not reached in their maximum number more than 30% of the total of the local deposits.

Strengths
<ol style="list-style-type: none"> 1. High commendation must be to the great efforts exerted by most ministries and governmental departments to respond to the increasing needs of citizens and their suffering due to the Israeli aggressions spicily in the filed of health, education, housing conditions, public works and civil defense and general security 2. Responses to emergency positions were developed variably and increasingly, and institutions continue to work even during the shelling and siege, and they did not stop their services except in impossible situations. In this respect we cite the work of the Palestinian telecommunications, central bureau. The red crescent, the electric company and the water and monetary authorities etc. 3. Annual reports published by the ministries, explaining their activities and gradually increasing, as well as increase in the number of

* JMCC

⁴⁰ Derived from: Palestinian Monetary Authority, Statistical Report,no.42, January 2002

Ministries and institutions that published their activities in their electronic web sites.

Weaknesses:

1. Increase of the amount of public debt and the nonexistence of sound control in borrowing, which can develop into a state of financial deficit from which the Palestinians will suffer in the future, and effect the possibilities of development and well-being in the forthcoming Palestinian state.
2. The dominion of some bureaucratic aspects that do not fit in the present period which requires flexibility and dynamic treatment of the changing conditions
3. The inflation in the employment system and the failure to use it successfully as a result of the inability to devise suitable mechanism to use the capacity of that system according to the variable conditions as well as those of the siege.
4. The general secretariat of the ministers council has not resumed the publication of its annual report on the works of the ministry and official department which must be continued.

1.1.3 Security Establishments

1. Palestinian Security Obligations Emanating from the political Settlement Agreement

The Palestinian Security Establishments as it is the case with the authority itself have witnessed a conflicting reality with the continuation of struggle against the Occupation Forces. On one side, they are committed to political and security agreements which require their full cooperation with the Israeli authorities in the aspect of security. On the other side, the Palestinian people are involved in an Intifada in which they have paid for a high price which the people's blood and the blood of the National Security forces whose members are exposed to killing and bombardment. Their headquarters are bombarded by jet fighters and heavy artillery shells. All political efforts have concentrated during the present period on a cease fire, and it reached its climax during the visit of the Director of the American CIA George Tenet.

He arrived at a specific formula for security understandings. The parties in their coordination meetings which ended nowhere kept referring to it whenever there was an escalation of the security conditions.

In a Palestinian public opinion poll¹, 50.02% of the participants in the poll opposed any kind of security coordination with the Israelis while 38% approved such coordination.

The tense situation as a result of the Israeli aggression on the Palestinian territories and civilians has caused a kind of unstable situation to the institutions of the Authority in general. However, the security establishments had to put up with additional burdens. The Palestinian Security establishment had to coordinate between their traditional duty of preventing crimes and their spread in the society and their national role to avoid the Israeli strikes, and pursue of collaborators to stop their activities in order to reduce as much as possible the extent of material and human losses.

The security establishments are living in a state of alert and mobilization of its forces; it also continues to evacuate its headquarters more than once following attacks by the Israeli shells which succeeded in many instances in injuring security personnel and police officers. In one instance 11 people belonging to the Palestinian elite force fell as a result of an air raid.

2. Security and Internal Stability

¹JMMC

Regarding the daily security activities of the security establishments, there was an increase in the rate of citizen offenses in some areas where the percentage of theft has risen as a result of the horrible living conditions of citizens. Unemployment is the most dangerous and it is spread among youths in light of the general economic condition. Because the security establishments are preoccupied with the fight against aggression, many low-minded and misguided persons will seek to seize this opportunity to carry out such acts in areas that are daily bombarded by the Israeli army. There is also a certain spread of drugs and the Narcotics department has laid hand on amounts of drugs from Israel.

Starting from 28April2001, the ATF held a number of meetings with concerned institutions on the phenomenon of the spread of drugs in Jerusalem. The meetings have resulted in designating the ATF to carry out a field study on the phenomenon. The study was published. A TV session was held on 2 April 2001 to discuss this issue.

The police has launched a campaign to confiscate and destroy illegal cars. The general security department has called on all citizens to immediately inform it about any suspicious car. It also alerted citizens to take all precautions when coming near it. The security department has also discovered a smuggling attempt carried out by the occupation forces of four modern cars near Khuza'a village east of Khan Yunis.

3.The Prestige of the Authority

Gaza city witnessed regrettable and distressing incidents when police forces clashed with a demonstration and resulted in the fall of two martyrs and tens of injuries among the demonstrators and members of the security departments. The leadership has decided to form an investigation committee into the incidents. The security forces arrested three masked men who were shooting at the demonstrators and police forces and their weapons were confiscated.

4.Protection of the Internal Front

The Israeli policy of assassinations and field executions has continued during the period covered in this report and included assassinations of members in the security establishments and bombardment of headquarters. The Israeli occupation forces were able to carry out thirty eight assassination operations which lead to the fall of 56 martyrs during the past year. The methods were very similar in their implementation and the conditions of the operation were linked together in many different pieces and data. There was a feeling of distrust in the role of the members of the Palestinian security establishments and the official Palestinian institutions in general in providing protection to the Palestinian citizen regardless of his national and political affiliation. This is exactly what Israel is seeking to achieve in adopting the systematic policy of assassinations which is highly dependent on a large network of " collaborators" who constitute according to one leader of the Palestinian security establishments ' a force in the size of an organization if not more". In every assassination operation, Israel succeeds in its implementation; there is a security and moral fault in the work of the security establishments, which will strengthen the feeling of distrust. This will ultimately assassinate the moral spirit of the Palestinian Intifada with all the moral, political and social components it carries.

Regarding collaborators and informers, the police forces have worked diligently to find them, and a number of collaborators who helped in the assassination of several citizens were arrested and sent to State Security Court. In Gaza, the security forces were able to arrest a collaborator while he was trying to smuggle a car fitted with sophisticated devices to guide the Israelis to its exact location before it explodes. Citizens were very critical of Security Forces ability to arrest collaborators following an assassination operation in a record speed. The occupation authorities have announced its intention to assassinate 400 members in the Palestinian Leadership from different factions since the early months of the Intifada and it has actually started its campaign. But, on the other hand, the Palestinian Security Apparatus have regained some of their confidence, which was greatly shaken in the eyes of the Palestinian public in its effectiveness, alertness and general readiness to fight this dangerous scenario of assassinations.

The assassination policy included shooting at processions and entourage of Palestinian Security leaderships after their attendance of a joint security meeting with Israelis and Americans. One needs not to be very imaginative to describe the Israeli reaction if one of the members of “ The National Security” shot fire at the highest ranking officials in the military intelligence departments like the Israeli “Aman” and “Shabak” especially after departing from their meeting with their Palestinian counterparts.

The Palestinian delegation at that night meeting included Mohammad Dahlan, Amin Hindi and Abdel Razzaq Majaida.

5.Deaths while in Detention

Once again the phenomenon of deaths during detention appeared after there was a noticeable drop in the number of deaths during recent years. The number of deaths during 2001 reached five cases that is more than the total number of death cases during the last three years. The number of citizens who died in Palestinian prisons during the last eight years reached 28. In spite of the fact that the Authority issues orders to form an investigation committee into the incident in order to diagnose the causes of death and to carry out a post mortem, it does not announce the findings of the committee, procedures against responsible personnel nor does it find new methods to prevent torture of suspects during interrogation by the Security Establishments.

Perhaps the current situation and the struggle which the Palestinian people are witnessing in their fight against the Israeli aggression and the emergence of the phenomenon of collaborators are main causes behind this increase in the number of deaths. This should not justify the excessive use of violence against detainees. The Authorized Parties have to take all measures to deter and stop such practices that contradict with the principles of human rights and harm the Palestinian cause.

In spite of the fact that there was no official word about the causes of deaths and the denial of the Security Apparatus that these deaths came as a result of use of violence, it is difficult to believe this in light of the short period between the arrest date and the death date that does not exceed a number of days.(Tabel6)

It is worth noting that the number of Palestinian detainees who were killed as a result of torture in Israeli prisons was 136 persons by the end of 2001(Hisham Abe Razzaq, Minister of Prisoners Affairs, Palestinian Media Center,30January2002)

This number is not used for the sake of comparison since it is out of question. The number of death cases inside the Palestinian detention centers during 2001 was 5 citizens.

Table16
Deaths in Palestinian Detention Centers - 2001

City	Detention Center	Death Date	Age	Name
Qabalan/Nablus	Military Intelligence	27/2/01	33	Salim Mahmud Husian Aqra'
Assaraya/Gaza	Military Intelligence	14/8/01	43	Sulaiman awid Abu Hamra
Tal Hawa/Gaza	Preventive Security	9/9/01	24	Khalid Sa'di Khalid Oka
Gnid/Nablus	Preventive Security	8/10/01	30	Imad Moh'd Amin Said Bizra
Khan Yunis	General Intelligence	21/10/01	41	Ala addin hasan Moh'd wahba

Table 17
Deaths in Palestinian Detention Centers ²

Year	Gaza	West Bank	Total	Percentage
1994	1	0	1	3.5 %
1995	4	5	9	32 %
1996	1	2	3	11 %
1997	2	4	6	21 %
1998	0	2	2	7 %
1999	0	1	1	3.5 %
2000	0	1	1	3.5 %
2001	3	2	5	18 %
Total	11	17	28	100 %

Table 18
Deaths in Palestinian prisons according to the Security Apparatus

Apparatus	Gaza	West Bank	Total	Percentage
General Intelligence	5	5	10	36 %
Preventive Security	2	6	8	29 %
Military Intelligence	3	3	6	21 %
Crime Police	0	2	2	7 %
Naval Police	0	1	1	3.5 %
Force 17	1	0	1	3.5 %
Total	11	17	28	100 %

Table 19
Duration which detainees spent from their detention date to death date

Duration in days	Number	Percentage
1-3	8	28.5 %
4-14	8	28.5 %

²Tables are quoted from list of deaths in Palestinian prisons, the Palestinian Group for Observing Human Rights

15-30	3	11 %
More than a year	9	32 %
Total	28	100 %

Table 20
Detainees and sentenced prisoners in the Palestinian Territories according to area³

Type of Crime	Year			
	1997	1998	1999	2000
Detainees				
Palestinian Territories	8,107	6,952	7,575	5,243
West Bank	4,980	4,772	5,677	3,784
Gaza Strip	3,127	2,180	1,898	1,459
Sentenced prisoners				
Palestinian Territories	1,686	1,842	1,871	1,636
West Bank	771	814	987	902
Gaza Strip	915	1,028	884	734

Some detention centers of the security establishment are not yet subject to judicial monitoring and visits to the detainees who have been arrested for a long time without a court order are banned.

It is important to bring into attention principle 24 of the group of principles that the United Nations General Assembly had ratified on 9 February 1988 concerning the protection of all persons who are exposed and subject to any form of detention or imprisonment. To quote " If a person or a detainee dies or disappears during his detention or imprisonment, the judicial authority or another authority investigate the cause of death or disappearance whether on their own initiative or at the request of a family member of the person in question or at the request of any individual who is informed about the case. Investigation should be carried out and if needed will be on the same procedural manner if death or disappearance takes place after a short while following the termination of the detention or prison term. The results of the investigation or a report will be provided upon request as long as it does not influence or jeopardize any current criminal investigation.

The President announced the formation of an investigation committee to look into the details of the death of the citizen Suliman Abu Amra a week after he was arrested by the Military Intelligence Apparatus in August since the reasons for his arrest were not revealed nor was his family allowed to visit him while he was in detention. Traces of torture were found on his body, and marks of handcuffs on his hands and blows and wounds were on the chest and back areas. In February, the citizen Salih Aqra' died after he was transferred from the headquarters of military intelligence in Nablus to hospital. By forming the above mentioned committee, the President aimed to ascertain the need to subject prisons and detention centers of the different security apparatus to

³ Palestinian Central Bureau of Statistics

the observation of the judicial system and Attorney General to insure their commitment to the criteria outlined by the Law of Rehabilitation and Reformatory Center (prison) number 6 for the year 1998.

As for the public assessment of the performance of the security establishments, a public opinion poll indicated the following percentages: good 37.4 % average 33.5 % bad 25.7 % no answer 3.4 %⁴

STRENGTHS

1. In spite of the restriction of the Oslo Accords which are imposed on the National Security Forces and in spite of the limited sources and the complexity of the situation, these forces have shown honorable national attitudes in defending the country and the people. They have lost the lives of tens of its members to defend the national dignity or as a result of the Israeli schemes.
2. The destructive bombarding which hit the headquarters, the facilities and the positions of the security forces did not influence the morale of the forces. Citizens used to watch these force in a state of alert in the midst of the darkest and gravest times that they have experienced.
3. The security establishments and its members have shown a great degree of flexibility and adaptability to the new changes and were able to mobilize its forces in spite of the intensive and repeated bombardment of their headquarters.
4. With the exception of some members who joined other national movements, the General Security Forces completely supported and implemented the orders given to it.
5. The security establishments have continued their role in keeping law and order to protect civilians and property within the frame work of their normal duties at the internal front in spite of the surrounding difficult situation.

WEAKNESSES

1. The phenomenon of collaborators and the increase in their numbers is considered as a major drawback on part of the security and intelligence establishments who were surprised of the size of this phenomenon and were not prepared with the sufficient and appropriate means of prevention and deterrence to stop it. The fact that many informers are found and arrested after the execution of their criminal acts does not ease the blame on these establishments.
2. Citizens are dissatisfied with the role of some security apparatus when its is related to political arrest. There is a feeling of anxiety and uneasiness towards what is called the security coordination with the Israeli departments.
3. In spite of the flaming emotions, it is forbidden to overlook the fact that security members use violence and torture against detainees regardless of the causes of their arrest. The concerned establishments should firmly and clearly impose its investigative role and leave the space for any punitive

⁴JMCC

procedures to take place.

1.1.4 Local Government

The number of municipalities in the West Bank and Gaza Strip reached 106 with the exception of Jerusalem. Whereas, the number of village councils reached 378. These councils have a disparity in relation to number of inhabitants benefiting from its services, in the areas subject to its jurisdiction or in their proficiency in offering services. This will indeed influence their tax and fees revenues which will be reflected on the level of services offered to the inhabitants.

Municipal and Village councils suffer from lack of funds from the Finance Ministry. It seems that the solution requires that a part of tax and fees money paid by the citizens in return for receiving electricity, water and different types of licenses be transferred to these councils. The bad financial situation of the municipalities is greatly due to the bad economic conditions resulting from the policy of closure which the Israeli authorities is imposing on the Palestinian territories. This has led to the spread of unemployment and the total freeze of commercial activities. This has forced many citizens not to pay their obligations to the real estate taxes and municipal fees. In addition to the role of the Ministry of Finance in this subject, there is a problem in the Ministry of Local Government itself. It takes a part of the authorities of the local bodies and does not give it enough powers to enable it to perform its designated role.

The municipalities in Gaza and the West Bank are considered on top of the official institutions that were negatively influenced since the financial revenues of these municipalities have dropped as a result of drop and inefficiency of collecting fees and taxes within the real estate tax. Many local councils lack from the beginning the presence of steady and fixed self income revenues which will meet its obligations and demands. Originally, these councils depended on grants and external aids, but now with the drop of revenue and the absence of aids, their problems have become more complicated. After this long period of siege and economic recession, the Palestinian citizen is unable to fulfill his financial obligations to the municipality.

In the meeting which ATF held in Jericho on 29December2001 on the needs of Jericho residents, Dr. Sa'eb Erikat ,Minister of Local Government, declared that the basic goal which the present Israeli Government hopes to achieve is to freeze and paralyze the Palestinian Government. This has resulted in inflicting damages to more than 70 % of the projects of the Ministry of Local Government in particular. He also added that Israel is freezing about one billion dollars so far and refuses to transfer any part of it to Palestinians.

With the continuation of the Intifada , one could realize the degree of harshness of the Israeli measures and their devastative reflection on the different aspects of the every day life of the citizens and on restricting the activities of the local bodies in offering

services to the citizens. However, these procedures should not lead to the paralysis or malfunctioning of the local institutions in carrying out their duties which were originally found to offer these service under the law of local bodies which states that elections should be held for the councils of these bodies.

The head of Palestinian Union of Local Councils warned that the bad financial situation which the Palestinian Municipalities are under going will make these local council incapable of paying pay rolls and will cease to give basic services in a continuous and appropriate manner.

In the field of organization and construction, the Central Committee for Organization and Construction has approved a large number of construction permits. The committee has also approved a number of structural projects for a number of housing projects. The ministry is currently working on plans for all the population agglomerates all over the country in order to implement development plans.

On 8 September 2001, the ATF held a session on the reality of planning, organization and land use. A number of specialists attended the session.

As for the achievements of municipalities, the local bodies have been very active in meeting the needs of the citizens which were influenced by the Israeli aggression. It has greatly benefited from a number of international agreement to fund its projects. The Technical Committee for Examining and Following up the Demolition of Houses and Ruined Buildings is continuing it work in examining and assessing damages.

On 14 May2001, the ATF held a TV session with the participation of PLC members and Representatives of the Ministry of Local Government on the relity of the needs of the newly established local councils.

Many municipalities have already started building health centers and constructed a number of vital roads. The municipalities have appealed to the citizens to pay their financial obligations to enable it to provide uninterrupted basic services to citizens especially in light of the deficit which threatens municipalities to stop functioning and offering services. The percentage of collection has only reached 12%. The Minister of Local Government has approved to establishment of a new local council for Bal'a in Tulkarim. Also the post of the diseased Awn Shawa the mayor of Gaza is vacant and there is no intentions to seize the opportunity and hold election to fill this post.

STRENGTHS

1. Municipalities rushed to give help and aid to citizens whose houses were damaged as a result of the Israeli aggression.
2. Many municipalities and local councils have adopted emergency plans to face the difficult situations.
3. Employment was offered to some in order to ease the economic crisis and the increase in the unemployment rate.

WEAKNESSES

1. It is difficult to talk about a concrete democratic formation in light of the fact that elections for the Palestinian local councils were not held since 26 years.
2. The deficit in the budgets of the local councils especially the average and

the small ones widens the gap between what is expected and what is present on the ground.

3. If the current difficult economic conditions prevent citizens from paying their financial obligations, there are other citizens who can do so but they do not do it!

1.1.5 General Control Bureau

The Control Bureau continues its control work of the national institutions but due to the circumstances which the homeland is undergoing no report has been announced to be issued by the General Control Bureau.

The Intifada gave rise to a condition which made many people not pay their due taxes even if they made profits. Also some banks invest their money abroad without bothering to announce their profits and pay the due taxes. In addition, foreign traders also evade paying taxes because Palestine has not followed the method of Jordan who adopted the theory of the principle of regionality of taxes (that is every amount of money made in Palestine should be taxable) which is different from the principle of the nationality of taxes (that is every holder of the Palestinian nationality only should pay taxes). In spite of this, we notice a complete absence of the role of the General Control Bureau on such a situation although its law allows for it to intervene at any time to verify accounts, to form committees, to review the accounts of the Palestinian Authority and to evaluate the financial position of the official and non-governmental institutions.

An important role is expected of the Control Bureau in maintaining the principle of transparency in order to achieve social justice specially in these circumstances through which the homeland is undergoing and which is in dire need for all of its revenues and the clarity of its expenditures.

STRENGTHS

1. Continuous existence of the work of the Control Bureau

WEAKNESSES

1. Lack of perceptible results from the work of the Bureau
2. Continuous non issuing and publishing of the reports or conclusions of the Bureau.

2.1 The Legislative Authority

In spite of the critical general situation and the lack of normal circumstances for the work of the Legislative Council, the general activity of the Council has been characterized by national and political activities and attempting to win international

support through exchanging parliamentary visits by which Israeli policies against the citizen and the Palestinian land are exposed. Thus the Speaker of the Legislative Council informed delegations that visit Palestine in solidarity with the Palestinian people; about the policy of assassinations which is continued to be implemented by the occupation forces against the cadres of the Palestinian organizations and which is implemented by an official decision from the Sharon Government, the continuous closures of the border points with neighboring countries, preventing transporting food stuff between Palestinian cities in addition to preventing Council members from moving between the West Bank and Gaza. Also. The Israeli side continues to detain the revenues due to the Palestinian Authority from the value added tax.

The Legislative Council opened its sixth session in Gaza and elected Ahmed Qurai' as the Speaker of the Council and keeping the rest of its committees having the same formation. President Arafat delivered his speech as usual opening the sixth session of the Council despite the difficult circumstances objectively and logistically.

The activity of the Legislative Council witnessed a common denominator that combined the opinions and evaluations of citizens and Council members on the occasion of the Democracy Day Campaign through open meetings in the different govern orates. This activity dealt with three axes or three central issues. The first axis was about the issue of Council elections after the end of its term. The second axis was about the effect of the duality of roles practiced by members of the Legislative Council between the role of the member in the Council and his role in the Executive Authority and negotiations about the performance of the Legislative Council. The third axis was about the laws and the legislations which have not seen light after being ratified by the Legislative Council.

The Council members were unanimous that they were elected for the interim period and not for a period of three years. Consequently the legal term of office of the Council expires with the end of the interim period. Also the majority of the Council members admitted that the duality of roles has negatively influenced the performance of the Council. Some Council members were for not counting the vote of the Council member minister when voting against giving a vote of confidence in the government. As for not putting into effect the laws despite being ratified, some council members thought that this is because of not issuing standing orders that clarify these laws. Rather some female Council members called for questioning the relevant ministers about not implementing the civil service law and the Palestinian labor law. A number of the participants in the activities of the Democracy Day considered that the Legislative Council voluntarily relinquished its role which facilitated the way of losing its efforts whereas several citizens insisted on the necessity for preserving the institution of the Legislative Council regardless of the persons and the necessity of lessening this campaign so that an institution can be maintained which functions on democratic bases no matter how limited they are.

It was evident that the sum of the activities created a suitable atmosphere for an amicable and warm dialogue between Council members and the citizens. On the margin of these activities several observations were made such as the absence of some members of the Legislative Council without justifications and the lack of the interaction of mass media with these activities.

Israeli obstacles that restricted the movement of Council members prevented holding the ordinary sessions of the Council. The Legislative Council overcame these obstacles put by the occupation forces in preventing the movement of the Council members and which affected the holding of periodic sessions of the Council by means of the Video Conference whereby sessions were held to discuss a group of draft laws despite the preoccupation of Council members with the political life from which citizens suffer.

On the role of the Legislative Council in the current circumstances, the Arab Thought Forum organized a TV dialogue on 19/3/2001 with the participation of a number of Legislative Council members.

An opinion poll indicated that 55.5% understand in one way or another not holding regularly the sessions of the Legislative Council due to the circumstances.⁴⁵

A legislative Council member declared that the insufficient holding of sessions of the Legislative Council during the past few months is not due primarily to objective reasons. There were circumstances in which most of the Council members were in Ramallah but they did not think of holding even an emergency session of the Legislative Council. Thus the evaluation criteria should be reconsidered in such cases.

Table (21)
Distribution of Legislative Council Sessions
On parliamentary periods ⁴⁶

	First Period	Second Period	Third Period	Fourth Period	Fifth Period	Sixth Period
Ordinary Meeting	38	30	21	14	19	9
Extraordinary Meeting	4	4	11	8	3	2
Secret Meeting	1	2	2	1	1	0
Total	43	36	34	23	23	11

The relative absence of the Council during the Intifada prompted some people to accuse the Council that it abides by form and leaves out content. An example is that the declaration of a state of general emergency by the Palestinian National Authority is considered a step in which there are several legal gaps whereby absencing the Legislative council in this issue aroused concern. For the Palestinian draft constitution and the laws in effect actually grant the President of the National Authority the right to declare a state of emergency and putting in effect the laws of emergency and martial rulings but they are not valid except after the Legislative Council ratifies them. This prompted a number of Council members to collect the signatures of Council members on a petition demanding to hold an urgent session to discuss this situation. They indicated that the head of public security is authorized to declare the state general alert and mobilization and not the state of emergency. It is

⁴⁵ PCPO, *ibid.*

⁴⁶ The Palestinian Legislative Council, internal reports.

worth mentioning that the Authority did not take these criticisms seriously despite their importance and necessity to firmly establish the state of institutions.

This case is viewed as additional absencing the role of the Legislative Council in the Palestinian political life which is added to the previous absencing of the Council in matters related to political agreements with the other parties and also in economic agreements and not even in external borrowings. This is due perhaps to the fact that the ceiling of the work of the Council is tied to the limitations of the political agreement. A poll of public opinion indicated that 54.3 % believe that the decisions of the Legislative Council are effected by the Executive Authority.⁴⁷

The Council is required more than any time in the past to complete its work in relation to issuing laws despite all the political conditions whereby their importance increase in parallel with struggle and political work. It has become imperative for the Legislative Council to go along the event and to stay in constant touch with the developments of the political process so as to come up with important positions and decisions in political self-termination in general.

Perhaps the far direct reason that the Legislative Council did not realize the dream of the citizens in becoming the center of the political life is due to a malfunction caused by the absence of third element by which is meant the actual political party movement which forms the middle link that joins the public and the Council of Deputies. A poll of public opinion indicated that 60.9 % believe in one way or another that the sessions and deliberations of the Legislative Council are conducted in a democratic method compared to 25.3 % who believe otherwise⁴⁸

It can decisively be said that political parties and organizations take the responsibility for this malfunction resulting in the equation. Unless this movement rises and pushes with its force behind the Legislative Council, things will not move forward easily.

The Legislative Council also decided to form a parliamentary committee to prepare a draft of a comprehensive national movement for national dialogue in consultation with forces and personalities to be adopted after being ratified by all political parties.

A poll of public opinion indicated that 72.6 % believe that the lack of participation of the political parties in the elections negatively affected the work of the Legislative Council compared to 13.8 % who believe otherwise.⁴⁹

2.2.1 Legislation and Laws

Hitherto the Legislative Council has not been successful in building a constitutional legal structure that organizes public affairs in the country. This made officials manage the affairs in the absence of comprehensive legal rules. Rather the Council could not even influence these practices to make them meet the aspirations of the citizens and conform with the international democratic norms and traditions.

⁴⁷ PCPO, beginning of December 2001 (3/12/2001)

⁴⁸ Ibid

⁴⁹ Ibid

It is true that the Council prior to the Intifada was moving towards building its unified legal system. However, this has not been completed and some of these laws still need more development in a way that preserves the rights of the citizens. This makes the Council review and modify some laws issued and published in the official newspaper such as the law organizing the profession of advocacy, civil law, law of election of local councils, law of local councils, law of stamping and monitoring precious metals and the law of the judicial authority (which has been modified but not issued yet...) because these laws which were meant to be modified were characterized by superficiality in dealing with matters. All these laws have been modified although no period of time has passed since they were issued or began to be implemented and which were affected by objective variable that necessitated modifying these laws. This is in addition to the fact that the legislations which became valid in the West Bank and Gaza are not applied in many instances whether in the judicial field or in the administrative field. There were few laws that were favored with an executive bill for them. There were many laws that had been completed by the third reading since many years but did not come into existence.

This shrinking of the work of the Legislative Council has a clear influence recently as an indication that the Council has not followed a legislative plan that takes into consideration the priorities of the Palestinian need and views the specificity of the political position which makes incumbent upon it the necessity of working towards embodiment and establishing the Palestinian entity through focusing on laws and legislations that carry in their content clear influences of the embodiment of Palestinian sovereignty. As the society is in need more than any time in the past to activate the legislative task of the Council during the Intifada, the Council has not taken any legislative initiative that complies with the concerns and suffering of the citizens whether in relation to the damages incurred by them or the standard of living from which they are suffering or the unemployment which affects half of the society.

The issue of the cooperation of President Arafat and the Legislative Council in the functioning of the legislative process remains one of the most important issues to move ahead in the prescribed plan to complete the legal system and to replace existing laws with pure Palestinian laws that conform with the Palestinian specificity and is guided by international criteria, even though the Council has known from the beginning that it is restricted in performing its function by the Oslo limitations specially on the legislative level through depriving it from making laws that affect issues that cannot be dealt with except after the end of the negotiations for the final status such as the borders, water, Jerusalem, the refugees and the settlements.

The issuing by President Arafat of a group of laws that had been referred to him for many months had a great impact on legal monitors because he allotted some time for this matter despite his preoccupation with political affairs more than any time in the past.

As a result of the escalation of events and their influence on the activity of the Legislative Council concerning making and reading draft laws and as a result of the difficulty of the movement of Council members, the Council sessions were restricted to ten sessions only.

A poll of public opinion indicated that 59 % are satisfied with the performance of the Legislative Council in the area of making laws.⁵⁰

Table No. (22)
Distribution of number and kinds of Council meetings on parliamentary sessions⁵¹

Kinds of meetings	First Session		Second Session		Third Session		Fourth Session		Fifth Session		Sixth Session	
	First period	Second Period	First period	Sec. Per.	First Per.	Sec. Per.	First Per.	Sec. Per.	First Per.	Sec. Per.	First Per.	Sec. Per.
Usual Meeting	22	16	18	12	12	9	9	5	15	4	6	2
Special Meeting	--	4	-	4	8	3	5	3	3	-	2	-
Secret Meeting	1	-	2	-	2	-	-	1	1	-	-	-
Total	42		36		34		23		23		10	

Decisions and Statements

Since the Council began its work for the first period of the sixth session, it took 551 decisions, which included organizational administrative decisions in the area of controlling the work of the Council, its relationship with the Executive Authority and the mechanisms for complementing this relationship amounting to 100 decisions. As for the legislative decisions which include accepting draft laws by general discussion and withholding or postponing some of these laws in addition to ratifying these legislations by the different readings, they amounted to 213 decisions. The third kind of monitor decisions in the various political, social, economical, financial, public administration and human rights areas, they amounted to 340 decisions. In 2001 alone, the Council took 45 decisions during the sixth sessions. The two most important decisions were one dealing with health and another about unemployment.

Areas	Number of Decisions
1. Organizational Decisions: Organizing Council work and the relationship between the two authorities.	100
2. Legislative Decisions: Legislative use, legislative referral, ratifying legislations by the three readings.	213
3. Political and Monitoring Decisions:	
Jerusalem	22
Land and Confronting the Settlers	37

⁵⁰ PCPO, M.S.

⁵¹ Derived from the data base of laws and draft laws in the special appendix of this report.

The Refugees	13
Prisoners and Detainees	17
General Political Situation	42
Economic and Financial Affair	95
Social Affair	56
Internal Situation and Human Rights	59
Total	340
Grand Total	653

Note: The original number of the Council decisions is 551 decisions. The increase indicated in the above table results from the fact that some decisions include more than one topic.

In general, the statements dealt with the following issues:

- Condemning the assassination of political cadres which is carried by decisions from the mini ministerial council headed by Sharon.
- Statements condemning breaking into and shelling of the liberated Palestinian territories which are called Areas (A) and the areas of Gaza which witnessed the destruction of entire neighborhoods which made the citizens refugees inside their homeland.
- Statements to revive the idea of demanding international protection for the Palestinians from the brutality and fierceness of the occupation and condemning the breaking into and the closure of the Orient House and seven other Palestinian institutions in the Jerusalem Governorate by the occupation soldiers.
- The amount of aggression incurred by the people in general and on Jerusalem in particular and demanding Arab leaders and the peoples of the Arab and Muslim nations to support generously the steadfastness of the people and to support the economical, social and political national institutions so that they do not break down.
- Appealing to the Islamic Bank and through it to the Arab leaders and the Arab and Muslim nations to support financially Jerusalem which is living in a real danger as a result of settlements that are surrounding it from every side and the danger of emptying it from its inhabitants through making their life very difficult, destroying its institutions and infrastructures and completing its judaizing plans.
- Condemning the intensity of the cruel Israeli aggression carried out by the occupation war planes on the different governorates of the steadfast homeland and which specially targeted security, political and organizational institutions.
- Condemning the fierce attack on the security headquarters, the President's headquarters and the Gaza airport and the President's places, and breaking into the liberated areas in the West Bank and Gaza Strip and destroying entire neighborhoods, most recently the destruction of 50 houses at once in Rafah.
- Emphasizing the application of the Geneva Fourth Convention on the Palestinian territories on the occasion of holding the conference of the sublime parties that contracted the agreement in Switzerland on 5/12/2001

- The Council in another statement described the aggression that was carried out by a decision from the Israeli mini-ministerial council as being terror and not an evidence of strength. It is an evidence of confusion, despair, and the reflection of an internal Israeli crisis and a flagrant violation of international legitimacy, an explicit derailing of the peace process and an attempt to impose Israeli conditions and dictates which were refused by the Palestinian people.

3.2.1 Parliamentary Monitoring

The Intifada, still casts its shadows and influences on the activities of the Legislative Council members who are, preoccupied with the national concern and who are attempting to get out of this current situation with a price that suits the sacrifices offered by the martyrs. So the parliamentary monitoring element is not found on the executive branch of the government which is controlled by the machines of occupation. The executive branch works without a plan and one cannot know how to deal with it since the causes of this anarchy is beyond control. However, the ministries themselves are to be blamed for not adopting emergency plans to fill in the gaps created by the occupation practices.

The most important task after legislation which is put by the people for its representatives is the task of monitoring the performance of the executive authority on behalf of the people. However, it is noted that the role of the Council in this connection is very limited not only during the Intifada but even prior to it. The Council had - in the absence of its legislative role during the Intifada – at least to undertake the role of the monitor in this period and difficult circumstances in which some cases of corruption lived and which need drastic treatment. Some known personalities in the government ended up dealing with these cases on tribal bases and not by clear legal methods. The result is that the Executive authority continued to function away from questioning and accountability. It cannot be hidden from anyone what the weak souls and consciences do at times of crisis it is inappropriate to discuss corruption and the important task and what is most important under the circumstances of the Intifada is the question of the Palestinian land and its liberation. However, the practicing of the Legislative Council of its monitoring tasks and preserving the material and moral wealths of the homeland has been a feature of embodying the state and liberating its land. A poll of public opinion indicated that 46.9 % are satisfied with the performance of the Legislative Council in fighting corruption⁵²

Monitors ascribe the absence of questioning specially during the Intifada to the refusal of many forces to participate. This led to the weakening of political and intellectual pluralism in the Council. This in turn influences and absents real questioning and monitoring. Thus the Council member started to direct his interests to monitoring and solving individual problems, for example acting as an intermediary between the police and the citizens.

It seems that the Legislative Council takes care to avoid clashing with the executive authority in the light of the situation through which the homeland is passing. Moreover, the specified date for the Finance Ministry to submit the general budget of

⁵² PCPO, *ibid.*

the State for the year 2002 has passed and the ministries have not presented estimates of revenues and expenses they deem necessary and which indicate the bases and directions of organizing the public budget and setting financial allocations and taxes to meet public spending. Despite of this, the Legislative Council has not even blamed the ministries.

The Legislative Council is directly responsible for achieving justice and tax policy. It still does not use its right to question, monitor, inspect and discuss the final accounts of the Authority and others. All of these are means granted by the Law to the Council so that it uses its right in practicing the task of monitoring the executive authority. However, the executive authority does not present its financial quarterly report which should be prepared every three months. The strictest penalties are not taken against it for example casting the vote of non-confidence with the government as is the cast in most democratic countries. In such a situation, the role of the Legislative Council has become paralyzed whether in ratifying the budget whereby the Council ratifies the budget as the project of the budget committee and not in accordance with the law of the public budget or in implementing or following up the absence of final accounts and seasonal reports specially during emergency conditions whereby the executive authority spends without setting the limits and also without consulting the parliament.

It is worth mentioning that the Council did not receive the report of the General Control Bureau for the year 2001 as was the case in the past three years as an international parliamentary tradition which requires the presentation of the General Control Bureau reports to the Legislative Council for every year separately. Concerning this, the Council demanded, in decision number 618/1/6 during the sixth session, that the executive Authority submit this report for the years 1998-1999, 200-2001

Table No. (24)
Number of Meetings of the Committees, Their Reports, Hearing Sessions and Their Field Trips Until The End of the First Period of the Sixth Session⁵⁴

Name of the Committee	Number of Meetings	Number of Monitoring and Legislative Reports	Number of Hearing Sessions and Field Trips
Legislative Committee	117	81	77
Political Committee	75	50	32
Jerusalem Committee	34	9	13
Land and Confronting Settlement	72	43	71
Refugees' Committee	103	30	60
Economic Committee	104	76	68
Budget and Financial Affairs Committee	219	67	60
Education and Social Affairs Committee	176	77	140
Control, freedoms and	183	30	43

⁵⁴ Internal reports, the Palestinian Legislative Council.

Human Rights Committee			
Internal Security and Local Government Committee	90	44	28
Total	1173	507	592

4.2.1 Council Committees

At the beginning of every legislative session, the Council forms again its permanent committees. Also, each committee elects a chairman and moderator from among its members. Nothing new has been done in this connection concerning starting the sixth session whereby the committees remained in their existing formation specially that their meetings were put off as a result of the Israeli siege. The committees through their moderates and chairman participated in an extended workshop during which the guide for hearing sessions and fact finding which are within the specialized work of permanent committees was discussed.

In order to activate the role of the Palestinian parliamentary committees many of the legal and procedural aspects pertaining to the formation of these committees should be taken into consideration due to their obvious influence on performing their work with the necessity of activating the mechanisms of usual control (questions, discussion, interrogation, fact finding committees, public and private hearing sessions) specially that the Council is unable and does not have the boldness to practice its serious control on the government and putting its responsibility into discussion. A poll of public opinion indicated that 37.8 % believe that the Council's committees perform their required task and 27.7 % believe that these committees partially perform their tasks.⁵⁵

- **The Political Committee:** The committee submitted a draft law to the Council under the name of "Draft Law of the Right of Return" which emphasizes that the issue of the refugees is the essence of the Palestinian-Israeli conflict. The Political Committee ratified the formation of two investigation committees on the unfortunate events in Jabalia during December, the first committee is formed from members of the Control and Human Rights Committee and the second committee is formed from the relatives of the victims whereby coordination takes place between the two committees.
- **The Legal Committee:** The committee held a hearing session to discuss the draft law of the penal code in the temporary headquarters of the Council in Ramallah and Gaza by using the Video Conference system and the attendance of committee members and a member of legal experts and interested lawyers. Emphasis was put on ratifying this law and the laws that reinforce practicing Palestinian legislation sovereignty and unifying and modernizing Palestinian laws according to national requirements and the need of the Palestinian society. It is inconceivable that work continues with laws stipulated by the British Mandate tens of years ago to firmly control Palestine and to violate the rights of the Palestinian people. The legal Committee took

⁵⁵ PCPO, *ibid*.

extraordinary interest in this draft law which is considered as crowning and completing the package of judicial laws and for its importance in keeping the security of the Palestinian society through deterring violators and criminals. The Committee intends to contact professors in local and Egyptian universities to benefit from the most recent jurisprudential opinions in this respect in preparation for ratifying it by the first reading. The council of ministers has suggested this draft law and referred it to the Legal Committee on 15/9/2001. The Committee intends to finish it within a short period of time.

The Committee held a workshop in the headquarters of the Council on the extent of the agreement between legal procedures, civil and commercial trials, evidence in commercial materials and the formation of the law of regular courts and the guide of legislative formulation prepared by the Bureau of Legal Opinion and Legislation.

- **Committee of the Interior, Security and Local Government:** The committee discussed the modified draft law of the law for electing local bodies. It held a workshop to discuss the draft law of “illegal gain” and it came up with recommendations that changed the content of the draft law awaiting its presentation to the Council for the three readings.
- **The Committee of Control and Human Rights:** The Committee held hearing sessions the topic of which was freedom of opinion and expression. The Committee announced the formation of a group to define the legal bases required to confront the policy of physical liquidation. Also the committee organized visits to the schools participating in the campaign for reinforcing democracy⁷ and parliamentary life among the youth which is supervised by the media department in the Council. The committee also demanded that it is necessary for the National Authority to take measures that guarantee for the citizens the free expression of their opinions.
- **The Refugees’ Committee:** The committee held hearing sessions on the topic. During these sessions the committee hosted personalities relevant to the topic to know their viewpoints on some issues. It also held a similar session in Gaza with the Commissioner General in the UNRWA. The mistakes in distributing aid presented by the UNRWA were discussed.
- **The Jerusalem Committee:** The committee held a hearing session with officials in the Authority about the status of the city of Jerusalem in the framework of the negotiations. It also went on several field trips to observe the unjust Israeli procedures specially that Israeli plans to demolish many houses because of the settlement policy.
- **The Economic Committee:** The committee held a session to discuss and ratify the plan and work mechanism of the committee during which the study completed by MAS Center on economic policies and

the effects of the siege on the economic domain was discussed. The committee also recommending in the meeting that a system of legislations on social welfare be made and making a law to prevent private and public monopoly. It also began preparing two draft laws on agriculture and industry. It dealt by the second reading with the law of water which was unanimously ratified. Also with the cooperation of the Ministry of Finance, the draft law for accountants was discussed.

With the cooperation between the committees of the budget and economy a session was held to discuss the two draft laws of the Palestinian capital market presented to the first reading and the draft laws of banks presented for the third reading in the presence of the Minister of Economy whereby the absence of the Minister of Finance was recorded despite its important and essential role in this topic.

As for the non-permanent committees of the Council, the investigation Committee emanating from the Control and Human Rights Committee began its work in investigating the circumstances of the death of Attiyah Abu Amreh during his detention by the Bureau of General Intelligence. The Committee visited the headquarters of the Bureau and met with the Bureau Chief and the investigation officer. Until the writing of this report no decision has been issued about this topic.

- **The Economic Committee and the Budget and Financial Affairs Committee:** The committee held meetings to discuss draft law for practicing the profession of accounting in the presence of representatives of the ministries of Finance, Economy, Trade, the Currency Authority, the Accountants' Society and the General Control Bureau.

The two committees also held a joint meeting to discuss the draft law of the body of the capital market and preparing it for the first reading.

- **The Budget Committee:** It presented two draft laws which are the draft law of bank notes and the draft law of the body of the Palestinian capital market. The Committee also prepared the draft law of the bank notes to be discussed in the public discussion. It was accepted for being prepared for the legislative readings.

The Committee discussed the budget for the year 2001. It recommended its modifications on it prior to ratifying it by the Legislative Council. A group of experts were brought to help the legislative Council in preparing it and recommendations on it. The chairman of the committee clarified that the reason in delaying the completion of the year 2002 budget is the deficit which amounted to 150 million dollars. The members of the committee met in Gaza and in their meeting they called for issuing of a presidential decision to form a committee that undertakes distributing aid for the workers. This committee includes the Minister of Finance, the Minister of Labor, President of the Palestine Workers' Union, and a representative of work owners. It also recommended putting all the money in a special fund for this purpose.

- The **Education and Social Affairs Committee**: The committee held a workshop to discuss the draft law of public health in the presence of the Health Minister.

The Health Committee emanating from the Education and Social Affairs Committee discussed the law of public health. The Woman Team in the Legislative Council was active. It held an open meeting with representatives of governmental and national institutions to discuss the work mechanism for discussing the personal status law. Also the team organized a workshop at the two headquarters of the Council in the West Bank and Gaza and a workshop which the fourth about matters that concern women in the penal code.

The Training and Development Unit in the Council held an advanced session in administrative skills and strategic planning to raise the efficiency of the citizens. The Unit also organized training session on managing crisis with the participation of the department heads in the Council and the employees in general.

- **Control and Human Rights Committee**:

As for the evaluation of the public opinion for the performance of the Legislative Council, it is as follows:⁵⁵

	Very good	Good	Average	Weak	Very weak	No opinion
Defending Human Rights	17.3	18.6	30.4	17.3	9.4	7.0
Legislation for Protecting Democracy	5.7	25.4	27.9	21.3	10.7	8.9
Dealing with corruption Cases	6.2	12.7	26.8	24.5	22.4	7.4
Discussing the Budget Law	5.9	17.1	25.9	21.6	15.4	14.8
Performance of the Speaker	8.4	29.5	16.3	14.9	17.8	13.1

Strengths

1. Continuing holding the Council sessions even if they are with their minimum limits despite the banning procedures and preventing movement practiced by the occupation authorities.
2. Discussing and ratifying several important laws despite the state of siege.
3. Political following up of events through statements and positions.
4. Establishing a special T.V. unit that records the sessions of the Council and distributes them among local TV stations.
5. During the recent period the process of ratifying laws has accelerated.
6. Establishing a TV system by connecting the Council session in Ramallah and Gaza.

⁵⁵ PCPO, M.S.

7. Establishing an electronic website page that clarifies the structure of the Council, its activities at the different levels, and the international relationships of the Council and its publications.

Weaknesses

1. Continuing the work of the Council for the sixth session successively without elections. This changes the Council to a form more than a content.
2. The continuous influence of the Council by the executive authority as a result of intermeshing and duality between the work of the Council and the political leadership whether on the level of the large number of ministers from among Council members or the participation of the Speaker of the Council and a number of its members in the tasks of the executive authority and the political negotiations.
3. The legislation and the rescission of the control role of the Council. This is not due only to the circumstances the country is undergoing through but originally to the diminishing of this role as a result of unclear necessary mechanisms specially in the light of the lack of complementation in the legal system.
4. The limited control role extends to include the putting of the public budget which until the end of the year has not been submitted to the Council. This affects the essence of financial policies, the bases of spending public money and sending all revenues to the public treasury.
5. The continuation of the work of the Council without conducting elections affects optimism in the status of the Council and clearly affects the process of democratic transformation.
6. Not limiting a time period for the permanent Council committees to finish and to study draft laws referred to them in preparation of presenting them for the first reading.

3.1 The Judicial Authority:

The Judicial Authority constitutes a basic pillar in the pillars of the democratic government system. Its contribution in establishing justice and respecting the rights and freedoms of the citizens whenever it is strong and enjoys a sufficient amount of independence vis-à-vis other authorities. However, the flabbiness and the weakness from which the judicial authority was suffering before the Intifada has multiplied due to the recent events whereby the situation became worse, the performance of the judicial administrative system receded to its lowest levels and the sessions of the Palestinian courts became limited to postponing cases most often. This was negatively reflected in the confidence of individuals in the ability of the judiciary to solve their conflicts and deciding in their differences, knowing that any system that lacks an independent judicial authority is a distorted system in which justice is violated and in which the citizen has no guarantee for respecting his rights and his freedoms.

After more than six months of the Intifada, the parties responsible for the performance of the courts have not put a practical plan to confront the state of emergency through which the Palestinian territories are going. At a time when some ministries and public institutions such as the Ministry of Health and the Ministry of Education and some

private sector institutions took the initiative to put emergency plans that greatly reduced the negative effects whereby they provided residence for senior employees and in some instances they provided a special material allowance for transportation, the Ministry of Justice was supposed to provide a similar emergency plan specially that it is the ministry that offers the most important and the most serious service for the citizens which is providing justice, and to seek to provide additional financial allocations to activate its teams. It would have been more appropriate that the system of court inspection be dedicated in a greater way during the Intifada when it was noticed that negative phenomena grew in a large way specially that some judges who do not live in the place of their work do not exert the least effort to arrive at their work. If they stayed in their office, they do so for a limited number of hours. Thus the judicial process has become semi impossible. If the judge comes, the lawyer is absent, and if the judge and the lawyer are present, it is impossible to bring the witness or if the summoner is unable to inform the lawsuit parties or if the employees of the support teams are absent and so on ... with the existence of shortages in the courts and the judges in the first place.

In the light of criticisms directed against the judicial system the Arab Thought Forum on 16/4/2001 organized a televised dialogue with the participation of a number of persons who are directly concerned.

No one denies the difficult circumstances resulting from the siege and closure policies and the consequences of this on all aspects of life. Also no one can deny the destructive effects of the Israeli shelling of the headquarters of the National Authority specially the headquarters of security bodies and prisons and the effect of this on the performance of bodies entrusted with the implementation of laws and application of court rulings and their inability to guarantee the protection of the imprisoned according to judicial decisions.

Following the shelling of the prisons by the occupation, most of the accused and the sentenced were released to preserve their lives. This prompted some prisoners and criminal detainees to exploit the circumstances by escaping to the Israeli areas of influence.

What increased the damage to the judicial body was stopping the implementation of many projects that enhance the judicial authority. Projects for training the judges stopped and also the process of equipping some courts stopped. Also implementing court buildings in Nablus and Ramallah stopped.

The Supreme Judiciary Council started before the Intifada a series of steps to put in order the situation of the judiciary the most important of which was the appointment of 31 peace judges at the beginning of 2001. The Supreme Judiciary Council itself suffered from irregularity of its meetings and its role was limited to conducting some movements in the ranks of the judges to fill in some gaps resulting from the Intifada.

Table No. (25)
Data about the Palestinian Judiciary Body for the year 2001

Area	Number of Judges ⁵⁶			Number of Courts ⁵⁷		
	Court of first instance	Magistrate's Court	Court of Appeals	Court of First Instance	Magistrate's Court	Court of Appeals
West Bank	13	32	3	8	13	1
Gaza	9	25	12	2	6	1
Total	22	57	15	10	19	2

At a subsequent time President Yasser Arafat issued four laws which are considered the pillar of the judicial body and they are the law of criminal procedures, the law of the principles of civil and commercial trials, the law of evidence in civil and commercial materials and the law of formation of the regular courts. The law of the formation of courts is considered the basis on which all the judicial laws are built as infrastructure. Until the writing of this report, the Supreme Judicial Council has not yet issued the rules and draft laws that organize these laws. The question and inquiring that arise by lawyers and judges too is about the possibility of applying these laws on the lawsuits presented to the courts specially that the relevant people have not yet known these laws which are in Gaza although they became valid after they were published in the official newspaper.

This is at a time when the draft law of the judicial authority on the list of laws referred to the President and which awaits his ratification. This aroused the surprise of commentators on the extent of the seriousness of partitioning the one parcel of laws. The above-mentioned laws cannot straighten up without the coming of the judicial authority law into existence and without issuing the law of the court fees. This is in addition to partial contradictions interspersed in most of the laws. This made some people to suggest postponing the application of these laws for at least six months after they become valid so that they are well known by those who are concerned in order to avoid problems of their application. According to the belief of the lawyers' union, it is inevitable to form a legal committee that specifies the shortcomings of these issued laws in addition to the necessity of preparing an infrastructure for these laws so that it is possible to apply and present them to the relevant bodies.

However, it is noticed that the Legislative Council when it reads these laws in order to ratify them does not take into consideration the observations that were recommended during the workshops held to study these draft laws and in which judges and lawyers participated and put the effort so that a system of judicial laws comes into existence that is suitable to a society that respects the citizen's rights and takes into consideration the accredited criteria in legal international covenants and conventions.

Without detracting the importance of the judicial laws that were ratified, approved and issued by the President, his non-ratification of the draft law of the judicial authority after two years of being ratified by the Legislative Council puts many obstacles before the possibility of applying the aforementioned laws. The draft law of the judicial authority includes many texts related to the formation and specialization of the Supreme Court, which is also stipulated in the law of forming regular courts issued

⁵⁶ Source: An interview with Dr. Hanna Issa, Director of public relations in the Ministry of Justice – Ramallah.

⁵⁷ Source: a) Report of the Independent Body for Citizen's Rights b. Guide of Regular Courts in Palestine 2001.

recently. With this it is difficult to apply one of the laws in isolation of the other because they complement each other.

Also the law of forming regular courts number 5 for the year 2001 has become valid starting on 5/10/2002. In its Article 39 it cancelled the previous laws such as the law of the courts for the year 1941 and the law of the magistrate's courts for the year 1947 in the Gaza Strip and the law of the magistrate court for the year 1912 in the West Bank. However, till the writing of this report the minister of Justice has not issued a decision according to which he appoints the sphere of specialization of the regular courts. This makes it imperative – in the existence of this legal gap – to work according to all those cancelled laws with the confusion and disorder resulting from this. This is in addition to the necessity that the ministry shoulders all material and human resources and the financial allocations in order to activate the Palestinian judicial laws, which were recently issued.

Table No. (26)
Lawsuits of the Regular Courts in the Palestinian Territories According to the Legal Stage and the Area

Legal stage	Year			
	1997	1998	1999	2000
Palestinian Territories				
Postponed	81,761	101,469	123,154	130,354
Incoming	168,239	169,959	147,357	153,760
Totals	249,910	271,428	270,511	284,114
Settled	152,232	148,053	140,101	139,376
Pending	97,678	123,357	130,410	144,738
The West Bank				
Postponed	71,286	89,102	109,872	117,852
Incoming	115,224	108,249	77,211	59,585
Total	186,510	197,351	187,083	117,437
Settled	96,964	87,478	69,231	58,350
Pending	89,546	109,873	117,852	119,087
Gaza Strip				
Postponed	10,385	12,367	13,282	12,502
Incoming	53,015	61,710	70,146	94,175
Total	63,4900	74,077	83,428	106,577
Settled	55,268	60,575	70,870	81,026
Pending	8,132	13,502	12,558	25,651

Source: Internal reports, Ministry of Justice.

The conditions through which the country is undergoing have affected Palestinian judicial activity. This is evident by comparing the flow of cases coming to the courts before the Intifada and after it. There has been an increase in the transfer of citizens to the alternate judiciary (offices of the governorate) due to isolating the villages from the cities. Due to the accumulation of cases which are not dealt with because of the shortage of judges, the confidence of the citizens in regular courts was affected. The executive authority did not appoint new judges and did not provide alternate residence for the judges who live far away and cannot reach their places of work. All the solutions taken into consideration by the Ministry of Justice to guarantee the work of support teams in their offices were its emphasis that those who cannot reach their original place of work should join the nearest court to his residence or mandating some judges to work in other courts in addition to their positions.

The Supreme Judicial Council may be unable to solve all the issues of the judicial body. However, it is certain that the solution of many things lies in its hand if it follows up on performing the task of this body more seriously and to put alternative plans to guarantee regular work in it and to confront the state of emergency under which the homeland is passing. It is necessary to coordinate between the Ministry of Justice and the Supreme Judicial Council to ensure sufficient financial allocations that guarantee the activation of the court system which is in charge of one of the most important responsibilities in achieving justice, social stability and the sovereignty of law.

It is indicated that the Authority has completed building the new Judicial Medicine institute at Al-Quds University. It cannot be concealed from anyone the extent of the importance of autopsy specially in the recent period that is, after the events of the Intifada. Sound and practical knowledge of the reasons for death helps the judiciary in making its decisions according to constant scientific data which are internationally recognized.

The role of forensic medicine is not only restricted to criminal cases but also to martyrdom cases to indicate the actual causes of death specifying the tools used, and indicating distances in cases of shooting and kinds of shells. This helps the judiciary and the different Palestinian bodies to send shouts of protests supported by scientific proofs when addressing international public opinion and in front of international courts and in the future specially in medical reports directed to international institutions to denounce the Israeli side in a scientific way.

2.3.1 Issues Related to the Judicial Authority:

The State Security Court became active during the period. It held several sessions one of which was in Bethlehem. It sentenced to execution by shooting the two Israeli agents Muhammad Daif Al-Khatib from Bethlkehem and Husam Al-Din Mousa Humaid from Bethlehem. It sentenced for life-long labor Hanna Mansour Salameh from Beit Sahour and Wajih 'Awad from Yatta after they admitted to be guilty of agency, treason and harming state security.

Also in the same period President Arafat ratified two execution sentences issued by the State Security Court against the two agents Majdi Akkawi from Rafah and Allan Bani Odeh from Tammoun who were incriminated with agency and caused the martyrdom of five citizens.

The Court sentenced to execution by shooting the accused Izzidin Jamil Al- Arabid for his incrimination in killing Nidal Nasser from the National Security Forces. It also sentenced Salem Al-Arabid to 12 years in prison with labor and it acquitted the third accused in this case, Ramzi Al-Arabid.

The State Security Court also dealt with the case of Thaer Jabr from Jenin camp who is accused of killing martyrs Mu'atasim Al-Dabbag and 'Allam Al-Jaloudi and accusing him of being an agent. The Court sentenced for life with labor and confiscating his transferable and non-transferable funds because of his cooperation with occupation and his contribution in killing the above-mentioned two martyrs.

The State Security Court meeting in Nablus also sentenced to execution by shooting four agents who contributed by helping the Israeli intelligence in assassinating Dr. Thabet Thabet in Tulkarem, and they are: Samer Abu-Zeineh 21 years, AmjadKhanaytah 28 years, Hussein Al-Al-Oun 32 years, and Muhammad Mahmoud, all of whom are from the city of Tulkarem.

During the month of August, the attorney general of the State Security Courts announced the holding of three sessions in Gaza and Nablus for the trial of persons accused of treason and causing the assassination of leaders of the HAMAS movement (Darwazeh and Mahmoud Al- Madani) and the Fatah movement (Mas'oud Ayyad). After these sessions the court sentenced Ahmed Abou Aisheh from Ain Beit Al-Maa' to execution by shooting on being accused of treason and causing the assassination of Darwazeh. It sentenced Munther Al-Hafnawi to execution by shooting based on Article 111 of the Penal Code for the year 1960 after he admitted to dealing with Israel for 22 years and causing the martyrdom of Mahmoud Al-Madani.

It sentenced Khaled Al-Ukkah 24 years from Gaza to execution by shooting after incriminating him with intelligence with the enemy and causing the killing of martyr Mas'oud Ayyad. The attorney general declared at the end of August the referral of six files for five agents of the Israeli intelligence who caused the assassination of Palestinians to the State Security Court for putting them on trial. They are: Jihad Abdul-Halim Al Sa'ih, Basel Abdul-Fattah Al-Shashatri from Nablus, Abdullah Abu-Al-Mutaiwan from Gaza, Mahmoud Abdul-Salam Al-Sharif and Suheil Shehda Zaqqout from Al-Shati' Refugee camp.

It is noticed after displaying the cases presented to the State Security Courts concerning serving as agents for Israel that the north of the West Bank from which Palestinian freedom fighters go inside Israel to carry out suicidal martyrdom operations is the same place in which there are agents who sell their consciences for the temptation of the occupation. This is a paradox which the Palestinian security bodies should give great attention to.

Also the Hebron military court sentenced soldier Imad Fleifel from the Security forces to execution by shooting on being accused of intentional killing of sergeant Issa Al-Sweity on the nineteenth of September 2001.

The military court in Ramallah issued a life sentence with labor to two workers in the Palestinian security forces on being accused of participating in the assassination of Dr. Ghalib Doleh in front of his house in Beitounia during June 2001.

Some institutions emphasized their refusal to meet justice outside the scope of law and the judicial system and their refusal of the existence of the State Security Courts because they hurt the guarantees of the accused which are recognized by international norms and conventions specially concerning the right of defence, the right for a neutral and independent trial, the right of authorizing a lawyer, the right for a public, just and fair trial and the right to appeal, specially that the availability of the conditions of just trial may reveal additional important information or others who are involved and who should be punished. It is the right of the society that these people don't escape punishment. Controversy is still going on in legal circles about the utility and humanness of the execution punishment.

Political Detention:

The security bodies carried out an extensive arrest campaign which involved activists from the Popular Front, HAMAS Movement and the Islamic Jihad under Israeli and American pressure in the aftermath of the assassination of the Israeli minister of tourism Ze'ivi by elements of the Popular Front. The Supreme Council for National Security decided to consider "The Phalanges of Abu Ali Mustafa" as outlaws. The security forces arrested 6 activists from the two movements of HAMAS and Jihad. During December, the security bodies arrested Muhammad Al-Hindi one of the leaders of the Islamic Jihad Movement in Gaza in addition to another ten members. Following the declaration of a state of emergency by the leadership, the number of the arrested by the security bodies reached 180 persons from HAMAS and Jihad and more than 100 persons from the Popular Front and one of the cadres of the Democratic Front. The General intelligence was able to detect several workshops for making the mortar missiles and arresting the people working at them. In implementing the instructions of the leadership, the security bodies arrested 12 persons from the security personnel who violated the decision in their effort to implement cease fire.

The issue of political detention still represents a dilemma for the Palestinian Authority specially in the current circumstances in which the Palestinian people are exposed to the violent military aggressions. While the situation calls for resisting the occupation and the oppressive measures, the Authority finds itself obliged to carry out arrests among the ranks of those resisters in a way that contradicts even its interest. These arrests are ascribed to two facts, the first of which are the limitations of the Oslo Agreement and its security conditions, then there is the military pressure which aims at destroying the sites of the National Security Forces. In addition to that there is the attempt of the Authority to assume the appearance of resisting actions that have the terrorist feature and which increased in clarity after the events of September 11 in the United States and the international movement led by the United States to resist terrorism. This thing was invested by the Israeli authorities thus equating resistance

actions against occupation with unjustified terrorist operations. The Supreme Court of Justice displayed its legal opposition to these arrests and became preoccupied by a number of cases with political background. It asked the office of the attorney general and the police to clarify the reasons for arresting two leaders of the Popular Front for the Liberation of Palestine in the Gaza Governorate during October. The Supreme Court of Justice made decisions in which it ordered the police and the office of the attorney general to release ten political detainees from the Popular Front and the Islamic Jihad because their arrest conflicts with the Palestinian laws.

The same Supreme Court during December also issued a decision to release five members from the Popular Front who had been detained since 40 days because the procedures if their detention were void and because of not following the legal procedures in arresting them. The Court also decided to accept request from human rights institutions in which it obligated the office of the attorney general to clarify the reasons for arresting citizens and preventing them from receiving their salaries.

The detainees from the Popular Front at the Preventive Security prison in Beitounia declared a hunger strike protesting the continuation of their detention since 18/10/2001 without accusing them and merely to satisfy the wishes of Sharon who described them as terrorists.

In this framework the Palestinian security bodies resumed the policy of political arrests. It waged an arrest campaign among the ranks of the Popular Front which openly adopted the assassination operation of Ze'ivi. Soon these arrests spread to include tens rather hundreds of the cadres and elements of all the organizations since January under American pressures on the Palestinian National Authority in a way that reminds of the arrest days that involved all the opposers of the Oslo Agreement.

The police in Gaza during December prevented a number of the lawyers of political prisoners to visit those who authorized them. The prison administration informed the deputies of the detainees that instructions were issued by the Director of the Police to prevent visiting them. Therefore the lawyers in a letter to the prison administration demanded their release because the procedures for detaining them were void and illegal and to permit the lawyers to visit the detainees in order to facilitate preparing their legal defense and that this prevention is a violation of the text of Article (54) of the Reform and Rehabilitation Law.

Table No. (27)
Political Detention for the year 2000 ⁵⁸

⁵⁸ The table is derived from the detailed lists found in the special report issued by the Independent Body for the Rights of the Citizen.

The figures until 10/10/2000 knowing that 51 are still detained at the time of preparing the list, 20 served periods between 20-210 days. 90% of the detainees in the West Bank are with the Preventive Security.

Arresting source	Number		Total	Period of Arrest (day)		Total
	West Bank	Gaza		West Bank	Gaza	
Preventive Security	40	17	57	39	3	42
Police	2	4	6	2	1	3
Intelligence	6	2	8	6		6
Total	48	23	71	48	4	52

Note: No accurate figures for the number of political detainees during 2001 despite the announcement of the existences of cases which were referred to in this connection.

Strengths
<ol style="list-style-type: none"> 1. The new appointments of judges is considered a positive development which contributes in solving a portion of the difficulty from which the judicial body suffers. 2. Ratifying a group of judicial laws including the law of formation of courts also constitutes a necessary positive development which contributes in the integration of the judicial system. 3. The formation of the Supreme Judicial Council is also added to the sum of the developments which if they are complete, they will contribute in transforming the judicial body into a significant authority.

Weaknesses
<ol style="list-style-type: none"> 1. Lack of a practical plan to confront the state of emergency to enable the judicial body and the courts to practice their functions in order to achieve justice for the citizens. 2. Not issuing regulations and executive draft laws to apply the judicial laws. 3. Not ratifying by the President of the draft law of the judicial authority limits the possibility of applying other judicial matters. 4. The continuation of the State Security Court to deal with civil cases.

3. The Regulations of the Civil Society:

The current stage from 1994 and on is classified as constituting the fourth stage in the history of Palestine⁵⁹ and in which the Palestinian society and the civil/political society in particular knew a drastic transformation.

⁵⁹ **The first stage:** the stage before the 1948 disaster during the British Mandate in which the national movement grew and establishing parties, clubs and societies intensified. **The second stage:** from 1948 till 1965 when the national movement underwent inaction due to the absence of the element of civil national organization. **The third stage:** from 1964 till the establishment of autonomy in 1994. It was characterized by the recovery of the national movement of its vitality represented in the Palestine Liberation Organization which sought to establish and activate the institutes of civil society.

This stage included transferring the Palestinian society from the stage of the revolution to betting on peaceful solutions. Subsequently the distinction between a civil society and a political society began to appear. The civil society started to practice opposition against the Palestinian National Authority on one hand, and against the occupation forces on the other. The difficulties that were faced by the Palestinians during the process of reestablishing the civil society whether from the Zionist entity or from the articles of the Oslo Accords, cannot be hidden.

On the passing of 52 years after the Palestinian Catastrophe in 1948, the Arab Thought Forum on 14/5/2001 organized a televised dialogue with the participation of a number of experts of events.

The new phenomenon in this epoch are the political parties and the institutions of the Palestinian civil authority and establishing it on the basis that the Palestinian question is still on the climax of clash and conflict with the enemy and that the Authority rehabilitates the institutions of the civil society as complementing it and reevaluate the structure, programs and priorities of each of them.

On the occasion of the end of the pilgrimage season to Mecca and in the light of technical and administrative problems that were faced by the pilgrims, the Arab Thought Forum on 30/4/2002 organized a televised dialogue with the participation of a number of officials and those who are concerned.

The committee formed of five persons emanating from the higher follow up committee of the national and Islamic powers studied all political documents and programs of the powers and the political parties which specify the demands and goals of these powers in order to establish a national point of reference for a temporary government or a national unity government waiting the presentation of the final document to President Yasser Arafat. There was a consensus on the ideas and presentations included in the document by all the national and Islamic powers. The national agreement deals with two basis issues on the political and the internal level. From the political aspect, the document deals with how to arrive at a common conceptualization that does not jump over the complete Israeli withdrawal from the Palestinian authorities occupied in 1967 and the establishment of the independent Palestinian state with the holy Jerusalem as its capital and in a way that also does not cancel the Right of Return which is based on Resolution 194.

As for the internal situation, the document focused on partnership and how to conduct internal treatment and common view of the general structure. This is in addition to focusing on viewing the Palestine Liberation Organization, its structure, internal system, frameworks and the participation of national and Islamic powers in the frameworks of this Organization in order to activate it to become the most comprehensive framework, and forming the point of reference which will supervise the elections of structures and frameworks foremost among which is the National Council.

As for the Palestinian National Authority, the document included conceptualizations for an agreement on the participation in reintroducing and renewing democratic life and finishing the laws completed by the Legislative Council on the level of the

elections for municipal councils, unions and guilds, and also on the level of the Legislative Council elections.

On the pressures that accompanied elections for the Orthodox Patriarchate, the Forum on 6/8/2001 organized a televised dialogue with representatives of the Church and the civil society.

The national and Islamic powers make their effort to emphasize for the world their refusal and their condemning of the attempts to describe their struggle as being terrorism calling upon establishing firmly the right of the Palestinian people to resist occupation by all means and forms in order to establish the Palestinian state and to realize the right of return for the refugees. At the same time, the organizations continuously call for aborting bad possibilities such as anarchy and multiple authority with extreme care to protecting the Intifada from the negative slipping toward internal conflict which destroys the Palestinian question specially under the existence of great pressures that aim to put the Palestinian people inside mazes and a big bloody swamp.

Politicians and representatives of the national and Islamic powers during the First National Concord Conference which was held on 25 November in Gaza called for banning internal fighting and to consider Palestinian blood as a red line that cannot be bypassed under no pressure and the necessity of exploiting forms of struggle in order to expel the occupation, establish firmly the effective national dialogue and supporting it and supporting the Intifada, preserving national achievement and crowning that with the formation of a national committee that shoulders the responsibility for the multiple national tasks and emphasizing care about the National Authority and its role with the right of disagreement with it and discussing with it.

On the circumstances of and the multiplicity of institutions for public opinion poll, the Forum organized a seminar on 30/6/2001 with the participation of a number of experts and those who are concerned.

The national organizations called the Palestinian security bodies to deal with a great deal of responsibility with the national powers and to maintain the security of the people specially that every time in which the internal Palestinian relations reach a crisis, calls for national dialogue become loud and they seem to be the secret key for solving the internal Palestinian problems. This in turn puts the question: Why does this dialogue fail to reach results perceptible for the public on the general national level? And why these dialogue remain as prisoners of the halls in the process of the separation of the elites from the street and from the popular bases about which the political elites talk?

All the daily features indicate that the Authority does not constitute a state of complete popular consensus specially that the Intifada has crossed out all the agreements. Consequently, it has become urgent to reformulate the national contract on new bases in which all the institutions of the civil society, popular organizations and the public in general participate and not only the elites for the purpose of opening the doors of participation in making the general national political decisions.

All the events emphasize that political powers should come forward to assume a larger role in the national responsibility. But do the national and Islamic powers have the will for unity and work in a joint way according to a clear and agreed upon program, or will this issue remain mere slogans at a time which needs doubling the elements of power. The question which has been put since the starting of the Intifada and which is represented in specifying perceptible and achievable aims in a perceptible time horizon is also still put on the table of political parties and currents. This requires putting a new strategy for national work.

Beginning from 8/7/2001, the Forum held several meetings with journalists working in the Jerusalem area which aimed at increasing the efficiency of their work. At a later time the head of the Palestinian Journalists League participated in following up this subject.

When the partisan situation was evaluated last year, it was clear that there are two currents which attract the political parties and powers. On the one hand, cohesion and harmony between the parties appear. This was embodied when 14 national and Islamic parties signed a joint statement for complete coordination of the daily activities, filed work and partial programs.

On the other hand, it appears that the national and Islamic parties live with a problem concerning agreement about the programs of the Intifada, partial aims and international moves... For the Islamic parties due to doctrinal and ideological motives are neither interested in inviting the international society to provide international protection, international legitimacy, and the application of the Geneva Fourth Convention on the Palestinian territories nor in calling for breaking the American monopoly the treatment of which is hopeless and nor penetrating the Israeli street by dealing with the peace powers in it.

This problem made the partisan discourse whether national, for fear of losing the Islamic party, or Islamic to incline to generalities. Some parties in their discourse even returned to the slogan of the 1960s and the 1970s.

In general the effort of all the parties is modest specially that they did not get forcefully involved in the Intifada and did not invest the circumstance of the outbreak of the Intifada to activate their methods of struggle. Rather, it is noticed that these parties have failed in building special bodies and frameworks for the Intifada. This revealed the defect in these Palestinian powers due to the lack of crystallizing an achievable political program. This is in addition to the difference of its discourse from its counterpart the discourse of the leadership. The latter, exploiting the confusion of all kinds of parties, put the political program of the Intifada in order to fill the vacuum and so that the street gathers around this program in the absence of an initiative form the Islamic and national parties to take similar steps. This makes one to ask whether there is a public interaction with the events and activities of the Intifada and was it possible for the parties to put the masses in a framework within one discourse?

The harmony between the national and Islamic parties has been recently affected. For while some view that the conflict between the Israelis and the Palestinians is an open conflict and that resistance and struggle are two processes which are completely and absolutely legitimate at all times and by all means and methods, others see the danger

of some methods if they will hinder the Palestinian national project and if they will give Israel justification to evade its commitments and to cover up its aggressive behavior and embarrass the Authority on the Arab and international levels.

In the meeting held by the Arab Thought Forum on 13/11/2001 in which it gathered all kinds of Palestinian parties to discuss the topic “ The Palestinian Parties And The Recent Political Developments”, some were of the opinion that it is necessary to keep away from “hopeless” operations which give justification for Israeli aggressions and the necessity for careful timing of armed operations, their place and their manner. In the meeting there were also those who entirely oppose armed action inside Israel because of the imbalance in potentials and capabilities between the Palestinian side and the Israeli side and due to the brutal reactions of the Israeli government.

Unfortunately, it must be recognized that the present Israeli government has succeeded in employing the events of September 11 against any action taken by the Palestinians in defending themselves. It also succeeded in effecting a mixing between legitimate Palestinian resistance against occupation and the concept of terrorism as decided by the American Administration.

The concept of “political alignment” has frequently been mentioned recently due to the clear absence of a national institution that includes all the parties and provides for them an incubator for discussion and consultation which results in the branching and variance in the political and struggle decisions of the parties on the Palestinian arena.

In general it can be concluded that the current stage serves all the parties in the internal Palestinian political game. The Authority currently does not prefer to form a group leadership in order to justify its not controlling the situation considering that the two oppositions whether the religious or the national play outside the institution framework. This exempts the Authority from its duty to put them in a framework under its policies and decisions. Also the opposition prefers not to be enlisted under the banner of the national institution regardless of its form so that it will not be obliged to abide by its dictates and to adopt political positions that it disapproves of.

2.1.1 The National Opposition

The Palestinian political system belongs to the system of the leader’s or ruling system. This is due to a large extent to the fact of acquiring the revolutionary legitimacy. Due to the newness of the system, its legitimacy specially that independence has not yet been achieved, does not need to be reemphasized as is the case with other systems. Therefore the principle of rotating the authority is practically impossible. This is also the case in the principle of partisan competition for the authority. At times of crises – and not in normal situations – things appear as they really are. Therefore some think that the exit from the crisis is not in deciding and conducting new election. For such election at the present time will not come with results which are better than the present ones. The copy will be repeated perhaps with a change only in the faces.

Therefore all evidence indicate that there should be more activation for the role of the citizen in the future whether in candidacy or elections so as to provide the alternative and the participation of the national opposition in running the affairs of the country from its smallest to the biggest. Enough for the slumber of the parties after all these

recent developments and changes on the national arena for there is no more justification for refusing to participate in decision making. Also disagreements among the national parties made them lose two important questions which are lack of agreement and a political program for the Intifada which is achievable. This made the parties confused in their discourse and revert to the slogans of the 1960s and the 1970s. Also they did not agree among themselves on the tools of the Intifada between militarization and popular resistance.

The parties of the national opposition were unanimous that national unity politically and in the field is a matter of utmost importance so that the Israeli enemy can be confronted on a solid base. It became clear that the national parties and powers whether the opposition or not disagree about essential matters and not only about the form. One member of the Central Committee of the Fatah movement, following the opening of the file of the national dialogue, pointed out the necessity of not taking any step no matter how useful it is that leads to breaking the margin of maneuver of President Yasser Arafat. In order that victory can be achieved by the Palestinian people its efforts should set out in a new work dynamic the basis of which is political unity. He also pointed out the necessity of not linking the Intifada with the Palestinian Authority considering that the latter has conventions and agreements which it should keep whereas what is required of the powers and parties is to continue the resistance. In the same context, the Democratic Front emphasized that what is required is the formation of an emergency leadership that includes all the national powers and the Palestinian Authority in order to manage the battle in all political, economical, military and security domains and other domains, and at the same time an intensive dialogue should be conducted in order to attain a unified political program for comprehensive change in the political domains in a way that makes it possible for the rise of a unified national government.

The People's Party saw that the form is not important but the essence is, meaning that all Palestinian effort should be gathered and unity be firmly established by the best means. The People's Party demanded putting a national emergency plan that leads to the continuation of the struggle and reinforcing points of strength in a way that weakens the power of the enemy. It also emphasized the necessity of unifying the political discourse in a clear and explicit program which is based on the general national lines aiming at expelling occupation and the settlers, establishing the independent Palestinian state and the return of the refugees. It is necessary that all national and Islamic parties participate in decision making through a Palestinian political move which is accompanied by basic conditions the most important of which are: not equating the occupation with the occupied people, confronting the declarations that describe Palestinian resistance as terrorism in addition to closing the file of political arrests specially that it give a bad picture about the Palestinian struggle.

The Popular Front views that the national unity in the circumstances of the Palestinian people requires agreement on a political program that depends on reviewing the previous stage before and during the Intifada with the aim of deducing a new vision unified on the basis that the enemy will not apply any agreements. The Popular Front emphasizes that the Palestine Liberation Organization is still the gatherer and the unifier of the Palestinian people and not the institution of the Authority produced by the Oslo Agreement which was rejected by the Popular Front and it warned of its

dangers. The Popular Front views that the obstacle that prevents the formation of the unity government or the emergency government is the duality of the official discourse. The Palestinian people was unified in the field to confront the enemy and to reject the attempts of imposing the conditions of surrender while the people is still suffering from lack of political unity.

On the twenty-seventh of last August, the Israeli-Palestinian conflict entered in its eleventh month, a new stage when Israel liquidated the high ranking Palestinian political official Abu Ali Mustafa, Secretary General of the Popular Front for the Liberation of Palestine in his office. This was the first time Israel carries out the liquidation of a high ranking Palestinian official considering that the Popular Front constitutes one of the three main parties in the Palestine Liberation Organization. The crime of assassinating the leader Abu Ali Mustafa by the planes of the Israeli occupation army in his office in Ramallah gave back the spirit and organizational vitality to the Popular Front and its political members who decided to return to the organizational frameworks of the Popular Front for the Liberation of Palestine after they have frozen their membership and activities inside and outside the homeland.

It is worth pointing out that the Popular Front conducted elections in the aftermath of which Mr. Ahmad Sa'adat was appointed as its Secretary General.

The Israeli policy in liquidating Palestinian activists aroused the condemnation of all the countries of the world including the United States the principal ally of the Hebrew state. America before the assassination of the Secretary General of the Popular Front had accused Arafat of not exerting sufficient efforts to lower the tone of violence. This was like giving the green light to Israel to continue escalating its operations. The Popular front threatened to avenge the assassination of its Secretary General who always insisted on the necessity of national dialogue on the level of the first class leaderships setting from his conviction of the necessity of effecting a political and military unity on the ground. He also demanded the establishment of a war economy to guarantee the continuity and escalation of the Intifada and the resistance option.

On the seventeenth of October, the military wing of the Popular Front assassinated the extremist minister Rahab'am Ze'ivi avenging its Secretary General. This aroused the anger of Sharon who waged a destructive attack and siege on most of the governorates specially Ramallah and El-Ezariyyeh from which the killers of Ze'ivi came. Ze'ivi used before his assassination to threaten to withdraw from Sharon's government if he does not take larger steps against the Palestinians who should be expelled. In this connection Sharon in coordination with America began to fight terrorism in the Middle East starting with the Palestinian "extremist" organization. He accused Yasser Arafat of encouraging terrorism if he does not arrest the killers of Ze'ivi.

On the aftermath of this and after a number of explosions against Israel, President Yasser Arafat declared a state of emergency. The Supreme Council of the Palestinian National Security decided to consider the phalanges of the martyr Abu Ali Mustafa as outlaws under American-Israeli pressures.

The national opposition with all its parties sees that in order to attain the level of national unity, its conditions should be fulfilled on the top of which is finding a framework that guarantees participation in decision making because it is not permitted

to take decisions alone. There are some who see it necessary to form a group leadership for the military wings of the parties which functions as a military staff which coordinates among the parties and organizes military work, its pattern and its timing in a way that guarantees the process of harmony in the struggle operations in the Palestinian area.

2.1.2 The Religious Opposition:

In the closed meeting about evaluating the current stage which was held by the Arab Thought Forum, the participants discussed the problem existing between the national parties and the Islamic powers whereupon the national powers – for the sake of keeping national unity – were obliged to give concessions to the Islamic current (HAMAS and the Jihad) concerning the program of the Intifada, the partial aims, political battles and international moves in order to appease the Islamic current and winning it.

In their attempts to keep the minimum level of harmony with the Islamic currents, the national powers sacrificed many of its important positions including the demand for international protection, the application of the Geneva Convention, calling for breaking the American monopoly, human rights, and penetrating the Israeli street by dealing with the Israeli peace forces and the left. The Islamic opposition rejects all this discourse and these calls from a doctrinal and ideological view. Based on this, the Islamic powers acquired the credibility of its discourse through accompanying the saying with the deed despite the reservations of the street concerning some operations.

In fact Hamas threatened to carry out ten operations inside the Green line. It fulfilled its promise and this led to the agitation of the Sharon government and the retaliation by shelling, assassinations and the multifariousness in the assassinations and physical liquidations of the HAMAS cadres. These Islamic powers called for the necessity of developing the means of the Intifada to attain the size and the level of aggressions to which the Palestinian people is exposed. Even the Fatah movement and the Popular Front adopted a number of operations against Israel. Fatah movement even refused the security coordination with the Israeli side and the return to square one in the negotiations when the Sharon Government resorted to the liquidation of a large number of Fatah cadres and declared its intention to kill 400 citizens from the leaderships of HAMAS, the Islamic Jihad and the Fatah movement.

On its behalf, the Islamic Jihad emphasized the option of resistance and continuing the Intifada. The Islamic movements also criticized the silence of the Arabs vis-à-vis the war waged by Sharon and his government against the Palestinians. They called for activating the Arab and Islamic response.

It became clear for the Palestinian street that the most important gain achieved by the Intifada was that it restored respect to the resistance option as being the only weapon capable of creating a sort of balance of power between Palestine and Israel. Experience has proved that negotiations without resistance mean concessions, a loss of land, effort and time, and a division of the people and its powers. The most serious thing that we might face is stopping the Intifada without achieving a result and the return to the whirlwind of the futile negotiations.

Sheikh Hasan Yousef, one of the political leaders of the HAMAS movement in the West Bank refused that, during the talk about the necessity of forming the national unity government, an invitation was sent to the movement to attend the President's meetings with the powers whether the invitation was written or oral. He said that all what was announced is nothing except a media issue. The HAMAS movement is aware of the requirements of this stage and the needs of the Palestinian people so that it can confront the occupation. HAMAS still that it does not matter for it to be inside the government or outside it. However, this does not mean not knowing its alphabets or its agenda and the conceptualization of this government about the Oslo Accords. The HAMAS movement also still aspires to reevaluating the previous stage and putting a plan for a joint political project on the base of resisting the Zionist occupation. In general, the Islamic parties still declare that what joins them with the other national parties is field coordination and not political coordination in their alliance with them. The observer feels that there is a sort of credibility in the discourse of the Islamic powers which accompany the saying with the deed despite some reservations about the timing of some operations which the street sees in them a response for the Israeli arrogance.

In fact, the occupation measures did not prevent the expansion of the circle of the Intifada by HAMAS movement and striking deep inside Israel. This caused concern and bewilderment for the enemy through developing the means of the Intifada which dropped the dread of the soldier and cast doubt in the saying of Israeli superiority by means of qualitative operations. The period covered by the report was also characterized by clashes which shook the stability of the settlers.

After years of continuous pursuit, the occupation forces during the month of November was able to detect Mahmoud Abu-Hannoud, the leader of the military wing of the HAMAS movement in the West Bank during his movement from one hiding place to another in the Nablus area disguised as a peasant. He and his two friends were pursued by an "Apachi" helicopter which fired several rockets and destroyed it. The two brothers were killed and Abu-Hannoud was able to escape, but he was hit by rockets which transformed him into remnants.

The failure of Israel to assassinate Abu-Hannoud or arresting him in august 2000 when it attacked him in his village Asira, was a setback for the Israeli army when Abu-Hannoud was able to escape before he surrendered to the Palestinian police. After this, he escaped from his prison in Nablus in May 2001 during the raid carried out by Israeli jet fighters on the prison which led to the martyrdom of 11 Palestinian policemen. Abu Hannoud was wounded in this raid.

Intense anger swept the HAMAS movement and the Palestinian street in general in the aftermath of Abu-Hannoud's assassination. HAMAS demanded an immediate and painful retaliation as a revenge killing its military leader. Indeed, the Hams movement carried out several martyrdom operations after which HAMAS together with the Islamic Jihad and Hizbullah were classified by America and Israel as bring terrorist organizations. Their assets in America were frozen and America demanded that the Authority arrest their members.

The arrest campaign began since the fifteenth of December whereupon the Plaestinian police forces carried out arrests in Gaza and the West Bank and closed down a

number of institutions and societies closely related to the movements of HAMAS and the Islamic Jihad. Their number is estimated to be 24 institutions with a services and cultural character. It is worth mentioning that all the institutions which have been closed down are licensed institutions according to the Palestinian law and that their closing down was not based on a judicial decision but rather on the background of political decisions.

The religious opposition is still warning the Authority of the disadvantages of exporting the crisis internally instead of working towards the creation of the internal consensus. It clarifies that resisting the occupation instead of forming a crisis for the occupation forces, it is changing into a Palestinian domestic problem between the Authority and the parties which augurs exploding the national unity. The Hamas and the Islamic Jihad movements do not accept conforming to the strategic and the tactical equations the lines of which are drawn from above.

Nevertheless, HAMAS (in agreement with the Fatah movement and after discussions, dialogues and several clashes during which victims fell and lasted for long days and in which HAMAS declared that it will not 'cease fire' and that it will not abide by the military "American orders" pledged not to carry out suicidal operations or any other operations inside Israel and not firing mortars inside Israel. However, it decided, on the other hand, that it can continue fighting the soldiers and settlers. It tied its pledge also by cessation of Israel from provoking Hamas through carrying out anew of assassinations in the ranks of Palestinian leaders and it issued a statement to this effect.

In general, a call was loudly voiced in the Palestinian circles at the end of the year that the Islamic and national powers have to stop the duality of the political discourse existing between them and the Authority for the interest of the Intifada and continuing maintaining the gains of the Authority achieved by the Palestinian people in its liberated territories.

3.1.3 The Parliamentary Opposition:

As a result of the makeup of the Legislative Council which nearly lacks opposition blocs in addition to the limited role of the Council as a result of the existing circumstances, the activities of the parliamentary opposition were merely denunciation and general condemnation.

The blocks which appeared in the Legislative Council as parliamentary opposition blocs did not attain a level that can be depended upon. For their activity remained stagnant although the ground was fertile during the recent period to activate their role and go in the road they charted in their initial visions for forming those alliances.

In a poll of public opinion⁵⁹ about the percentage of support for each of the political currents, the following results came up : Fatah 34.9%, HAMAS 18.6 %, the Islamic Jihad 5.2 %, the Popular Front 2.7 %, Islamic movements 2.5 %, and other currents 2.3 %, while 24.6 % indicated that they do not support any party and 9.2 % of the pollers did not give a response.

⁵⁹ JMCC, M>S.

In another poll, the results were as follows: Fatah 30 %, HAMAS 21 %, the Popular Front 9.7 %, the Islamic Jihad 8.2 %, the Democratic Front 4.4 %, the People's Party 2.7 %, Feda 1.4 %, Independents 9.6 %, other parties 1.4 %, no answer 12.5 %

Strengths
<ol style="list-style-type: none"> 1.The Intifada which faces state terror practiced by the Israeli government contributed to strengthening Palestinian national unity and baptized this with blood in the legendary stand against the Israeli war machine. The Intifada also caused the failure of Israeli conspiracies to ignite internal fighting. 2.Large parties proved anew their leadership in the light of their shouldering the largest burden in the confrontations. 3.Despite the lack of participation by a number of political organizations of the Palestinian Authority and considering this a negative element, the Intifada and confronting Israeli aggressions transformed this into strength because the restrictions of the Oslo Agreement do not apply on these organizations. 4.Despite the weak potentials of the resistance, the elements of the resistance were able to develop methods that removed the dread of the soldiers and the Israeli army, rocked domestic stability and shook the morals of the settlers. 5.Most of the Palestinian organizations responded to the appeal from President Arafat for a cease fire which was not violated until it was violated by the Israeli forces.

Weaknesses
<ol style="list-style-type: none"> 1. Some suicidal operations targeted civilian centers and this affected the ease of targeting some Palestinian organizations and accusing them of terrorism. 2. The unclear political program of the Intifada whereby there is no unified concept for the aims of the Intifada. While most political parties agree on struggle against the Israeli aggression, disagreement will become prominent if a political crossroad is reached at a certain stage. 3. Despite the awareness that the Israeli government which, contrary to moral principles and international laws, carries out assassinations and field executions, the political leaders of the Palestinian organizations should not depend on that and should not expose themselves as easy targets. 4. Despite the existence of features of field unity on the ground, there are dangers which should be heeded with sufficient caution.
<p>There are fears of arousing domestic crises instead of creating domestic consensus of the occupation into a domestic crisis instead of being a problem for the occupation.</p>

2.2 Unions and Associations

The labor movement is not the only one who suffers from problems at the level of democratic life inside the General Union of Palestine Labor Associations. Different Palestinian unions are facing the same situation. However, the labor movement suffers from the issue of politicizing association activities and this is considered as one of the obstacles to develop the democratic life inside labor associations. The failure to hold labor general elections after it was agreed to hold it in 1994 is a strong evidence on the presence of such obstacles. It is now more than seven years since the formation of the designated committee which consisted of five labor blocks to prepare for general labor elections during a period of one year and there are no elections yet.

It seems that the eruption of the Intifada is an unconvincing justification since some of the professional specialized associations achieved remarkable success on the democratic aspect through holding periodic elections. Some members of the union relate these obstacles to the conflict between characters whether in the General Secretariat of the Union or in the Union of Palestine Associations. Not only this is

negatively reflected on the local reality but also reflects its negative effects on the level of distractions.

Following the convening of the Popular Conference of Popular Organizations, a follow up committee was formed a year ago in Ramallah. The conference came out with 19 recommendations to activate the role of movements and popular organizations in general. These recommendations were agreed upon by the majority of different Palestinian forces, unions and factions to the extent that the committee did not need to follow up the implementation of these recommendations.

The most outstanding task of the General Union of Palestine Labor Associations was the holding of the national conference to face the crisis of unemployment in Palestine in cooperation with the Palestinian Legislative Council.

The representatives of 28 associations and institutions including Journalists Association, Engineers Association and Lawyers Union criticized the clear American bias with Israel starting with the promise of the American Administration to transfer its embassy to occupied Jerusalem, the use of the veto in the UN Security Council against the resolution to provide an international protection for the Palestinian people and ending with giving the green light to the Israelis to bombard the territories of the Palestinian Authority with American made rockets. The professional associations and national institutions have called for the boycott of American institutions and bodies until the USA deals equally and fairly with the Palestinian question.

After one year of its ratification and implementation on 26 December 2001, the provisions of the Palestinian Labor law which labor associations have waited for a long time to have were implemented after thirty days of its publication in the National Authority Gazette. The Head of the National Authority passed and ratified the bill on 30 April 2002.

The associations have participated in a number of workshops in cooperation with Non Governmental Organizations and the Labor Ministry. A group of by-laws were discussed in order to contribute in the easy implementation of this bill. Issues tackled health and safety, women work, juvenile work , system files, notices and documents required from proprietors, the procedural code in labor cases and the system of initial and periodic health examinations.

During the recent period which this report covers, there was a controversy in the union on the relationship between the Palestinian General Union and the Israeli Labor Union (Histadrot) especially in relation to issues of reimbursement of discounts which the Histadrot gets from the wages of Palestinians working in Israel. As a result of this controversy, it was agreed that 50% of discounts the Histadrot collects will be reimbursed since this amount constitutes a high percentage in the Union budget.

The General Union of Palestine Labor Associations started distributing the second round of financial aids to unemployed laborers who are registered in the Labor Ministry and the Union. Financial aids were also given to those laborers who don't have a work permit in Israel.

Laborers demanded that a national investigation committee should be formed to bring to justice any officials concerning the rumors about violations and discrimination committed in giving unemployment aids in the first round which lead to a kind of discontent and hatred among citizens.

The General Union of Palestine Labor Associations gave during the month of June six thousand financial aids. Each consisted of 600 NIS to Rafah Laborers. In addition, the General Union distributed 1000 food aids to other laborers. In July, the General Union gave an amount of 400NIS to every one of the 1250 laborers from Rafah. In August, the General Union of Palestine Labor Associations started with Jericho governorate to distribute aids of 500 NIS each to 1000 laborers. The Presidency of the Palestinian Authority funded this project. The General union has recently started the establishment of a university college specialized in labor and labor sciences in Ramallah. It will enroll 200 students and the laborer will be awarded with a diploma degree after he/she finishes studying.

The Engineers Association has decided to establish an emergency fund to help those engineers who suffered losses or damages as a result of the current situation. The two councils of the two associations in Jerusalem and Gaza held in December special meetings to discuss the conditions of engineers, engineering offices, personnel working in contracting companies as a result of the Israeli closure and to assess damages. A new mechanism has been put into effect to ensure the continuation of the work of those who sustained losses and damages. It will also call upon Engineering Associations mainly the Union of Arab Engineers in the Arab countries and national local and international institutions to give aids to this fund in order to fulfill its objectives.

Factory owners and Industrial unions have held a workshop titled “Protection and Development of National Industries” and many ministries and concerned departments attended and stressed the need to have specialized committees to follow up the implementation of economic policies that will seriously, practically and urgently contribute in saving its competitive ability with regards to quality, allocation of a special and fixed share for the national product in any local tender and to work on reducing the gross cost of these industries by providing some facilities, privileges, easing of the tax burden and reducing the cost of production.

The Palestine Lawyers Union met with the President in his headquarters in Ramallah as a show of solidarity with him and his positions and to condemn the siege imposed on him by the Israeli Government. Both have discussed the general situation and the particular situation of the judicial system including its needs and the necessary steps that have to be taken in order to supply this system with financial and human resources. Also there was a need to quickly finish with the process of appointing a group of judges to solve the problem of the accumulation of law cases especially after the issuing of the new laws especially the law of formation of regulatory courts which requires taking suitable procedures that match the present reality.

The General Union of Palestinian Handicaps held a study day titled “The Palestinian Handicapped in Aqsa Intifada”. There was a call to implement the International Law

for the Rights of the Handicapped and the formation of a Higher National Council to take care of the handicapped^{*}

STRENGTHS

1. The General Union of Palestine Labor Associations carried out a number of activities to support unemployed laborers and distribute financial aids on them. It also held the National Conference to face Unemployment.
2. The Union has followed up the issue of Palestinian laborers compensations which Israeli illegally keeps and the special discounts which the Israeli Labor Union collects from the wages of Palestinian labor.

WEAKNESSES

1. The labor movement is still suffering from the politicization of labor movement and interference with party action which obstructs any democratic development inside labor associations even within the framework of possibilities of holding internal elections.
2. In addition to politicization, the struggle between the characters leaves its negative impact on labor activity and turn in into a group of scattered blocks.

3. 2.3 Civil Societies and Non Governmental Organizations

Once again the law of Civil Societies and Non Governmental Organizations reappears since the executive rules and regulations of the law had some contradiction between some provisions and the law. The organizations that applied for registration or adjustment of its status encountered new and additional restrictions that are not stated in the law or with conditions that contradict some of its provisions. Some civil society organizations have submitted all the required documents and met all conditions, however they were not registered or many of them did not receive the required license or receive a letter pointing out the incomplete information in their documents during the legal period of 60 days starting from the date of submitting an application and the required documents.

^{*}The union has finished its adjustments and suggestions in cooperation with the Central Committee For the Rehabilitation of the Handicapped and the ATF and a group of Charitable Societies regarding the executive draft list of the Handicapped Law. These were handed over to the Ministry of Social Affairs which discussed the proposed adjustments with the appointed committee to follow up the issue(it consists of the ATF and General Union of the Handicaps). Currently the Fatawa and legislation department is studying the proposed draft in order for it to be approved and presented to the cabinet for ratification.

Many Civil Societies and Non Governmental Organizations complain that they had received letters from the Interior Ministry requesting that these institutions introduce adjustments in its bylaws or in its credentials with the license application after months of submitting their application and after it has become in the rule of the law officially registered according to article (3/4) of the law.

Recently, some organizations received letters from banks in which they request a proof of the adjustments made in its bylaws and the activists of these organizations view this as a new control on Civil Societies and Non Governmental Organizations. The Palestinian Network of Non Governmental Organizations discussed the suggestion of the Ministry to take the law back to the Palestinian Legislative Council and this might give rise to side conflicts on this topic.

On 27 January 2001, the ATF held a special session on the human role of international organizations in monitoring Israeli aggression and the provision of protection to the Palestinian people

It is clear that the present conditions have contributed in increasing administrative obstacles, yet this does not ease the practical difficulties which face many organizations. This also gives rise to a new and serious problem for new organizations which cannot perform its tasks as long as they lack official license.

The Interior Ministry in an unprecedented manner distributed forms on the staff of these organizations in Gaza Strip. The Network of Palestinian Civil Society Organizations considered this step as a violation of law number 1 for the year 2000. The form includes questions regarding the past and present political affiliation of the society or the organization and the countries they have visited together with the reasons. It also asked for the names of three close friends of the member. Moreover, there is a part in the form that asks for a summary about the main turning points in the life of the organization or the civil society member.

Immigration of Christian Arabs to the West ♦

By: Prince Talal Bin Abid Al Aziz

It is a harsh reality that will bring about long term implications on the destiny of our Arab World and it will change the nature of the region, the foundations of its prosperity and its internal peace and stability; therefore, Arabs both Muslims and Christians have to take a firm position and fight this phenomenon.

As it is the tradition in times of serious crises such as the ones that the World in general and the Arab world in particular are undergoing, there is a need to carry out an in-depth review of the causes behind this immigration which is disrupting Arab harmony.

♦In his reply to the ATF letter, the deputy of the Interior Ministry denied that this form will be accredited in his ministry. Also the Minister of NGO's affairs stressed the same thing when he met with the ATF.

♦Source is AsSharq Awsat Newspaper, London

Christian Arabs are considered one of the backbones of the old and new Arab entity and structure. At the dawn of Islam, Arab Christians were an intellectual, political and military cornerstone in the Arab countries which expanded towards the east until it reached Sind and headed west until it reached Spain. They were one of the elements of the steering force that spread Islam outside the borders of the Arab Peninsula and Greater Syria and represented one of the decisive factors in the expansion, development and sovereignty of the state on most of the Ancient World.

During the Renaissance which lasted for two centuries the nineteenth and the twentieth, Christians Arab had an important role in reviving the main landmarks of Arabism and its cultural content which was open to other developed civilizations at the time when there was Arab slumber. Christian Arabs were the contact points that had a long and deep history of civilization and an important resource for development and modernization.

Because of their varied culture, Christian Arabs have always created a continuous cultural and intellectual challenge. Their immigration deletes all these significant achievements and is considered a kind of separation of a large group from its authentic and cultural origin.

When we talk about the presence of Christians in the Arab world we mean their continuity and presence since they are part of the early development elements and their presence stops the establishment of an environment that nourishes on fanaticism and extremism which will lead to the eruption of violence and end up in historical catastrophes.

Their stay in the Arab World is the response of actions not words to the Israeli position of having the one faith state, pure race and the chosen people. In this way, there is an attack on the fundamental Zionist thinking in its known results that are built on violence and war, Most important is the notion of canceling the other. Their presence strengthens the bases for a modern, multiple and diversified state. Their presence gives momentum to Arab causes especially in their continuous social, cultural and economic contact with the Western Christians. On the other hand, their immigration constitutes a counter force that is exploited to nourish an attitude of reducing and strangling the atmosphere of contact and dialogue.

Their presence is an Arab choice in light of adopting democracy and applying it in a manner that takes into consideration individual citizens, reason, right, freedom and creativity in order to achieve justice. Their presence reflects a desire to enrich the coherence of the Arab society and contemporary Arab countries. It is also a decisive decision to cancel the reasoning of civil wars as what has happened in Lebanon in 1840, 1860 and 1975 and is happening in Sudan and it is feared that it will take place in Egypt.

Last but not least, their presence is a means to stop the loss of a substantial part of creative scientific, cultural and intellectual potentials in the Arab World. It is also important to emphasize the elements of economic strength in trade, industry, money and professional specialization. The bottom line is that the immigration of Christian Arabs if it continues will be a deadly blow to the heart of our future.

Our urgent task with regard to this immigration is to strengthen the existence of this Arab group in our united Orient and look forward to counter immigration.

It is important to note that the Interior Ministry has lately obstructed the release of civil work bulletin under the justification that both the Network of NGO's and its bulletin are not licensed.

The Ministry of Civil Work has recently signed a memorandum of understanding with USAID to strengthen relations and cooperation between the two sides and to organize the activities of the agency in Palestinian territory. In June 2001, the ministry sent a letter to the USAID on "TAMKEEN" project since the minister considered the start in implementing the activities of this project as being illegal and a violation of the Palestinian sovereignty.

The ministry has also signed a memorandum of understanding with the World Bank and the Cooperation Institution on the second stage of the project of providing funds to NGOs in Palestine. The value of this fund is 17 million dollars and the ministry will be an official partner in this stage.

The minister met with representatives of organizations active in the field of human rights in order to discuss and to coordinate official and non official efforts in preparation for the participation in the activities of the conference of the concerned parties in the Fourth Geneva Convention on 5 December 2001.

On 10 February 2001, the ATF held a special session on the prospects of developing the work of Palestinian human rights organizations and increase coordination among them.

The very close relations between the NGOs fall between two points competition and coordination. They unite before the authority and compete to obtain funds. The Intifada has shown that the activities of these NGOs are not free from duplication and repetition in offering services to the public. On the other hand, the Intifada has stressed once more the importance of having a relationship of integration and cooperation between the activity of the National Authority and the activity of Civil Societies and Non Governmental Organizations. It has become clear that it is wrong to believe that there is a contradiction between these two roles especially in light of the siege on the Palestinian Territories.

Following the recent events in Jerusalem and the breaking into the Orient House and many other institutions, many Palestinian NGOs started action as a result of the development of a state of vacuum following the passing away of Faisal Hussein, and it held a meeting with the Union of Charitable Societies and the National Body of NGOs and discussed the issue of Jerusalem. They released a statement and organized a number of sit-ins in front of the diplomatic missions and with the participation of different International delegations of solidarity.

On 25 August 2001, the ATF held a special session to discuss the result of the Israeli closure of the Orient House and a number of NGOs

In the framework of the committee of Jerusalem Institutions, the Palestinian NGOs are working on developing a non-governmental framework which seeks in its vision to contribute in offering basic services to help the residents of Jerusalem city through widening a base of services and programs that includes the largest possible number of citizens in need for it and to help the already existing institutions in upgrading their efficiency and services.

In light of activating the international role in the city of Jerusalem, The Agricultural Relief, The Arab Thought Forum, Law Institution, Union of Palestinian Medical relief Society, Nidal Center and Land Research Center organized a number of activities in Jerusalem city during Christmas and New Year within the framework of the International popular campaign for the protection of the Palestinian people. The number of delegations who made field trips to the settlements surrounding Jerusalem and made rounds inside the old city was 350 participants.

In response to the American veto and refusal of the resolution of providing international protection for the Palestinian people, the idea of Popular Protection of Palestinians was developed. It is an initiative made by the Network of Civil Societies and Non Governmental Organizations to fight the daily suffering of the Palestinians which in itself inspired the idea of renewing international movements of popular solidarity through out the world. There will be a close contact with these movements to organize collective visits to the Palestinian Territories by political and popular figures who represent civil society organizations in order to embody solidarity with the Palestinian people on the ground and feel its suffering. Observers have unanimously agreed that this step is in the right direction and has to be strengthened by engaging all civil society organizations, popular unions, professional associations and national figures to act as a national umbrella that reveals the true and ugly face of the aggressive Israeli policy. The first campaign and the second campaign which will be launched in January received a lot of positive responses from many French, Italian, and Belgian delegations especially when they acted as a human chain to protect the houses that come under bombardment on a daily basis and when they clashed with the occupation forces at the military check posts at the entrances of cities. These have no doubts now that the Israeli announcement about the end of occupation after the signing of Oslo Accord is nothing but a big lie.

On 27 September 2001, the ATF held a TV session on the performance of the Palestinian NGOs during the Intifada.

The NGOs were clearly influential and successful in influencing the final statement of Durban Conference to combat Racism (29 August – 1 September 2001). The NGOs have played an active role inside the different blocks of the conference, and the Palestinian NGOs have succeeded in organizing a rally against Israeli Discrimination. More than 40 thousand participants were involved in the rally and showed their support of the Palestinian people just cause. It ended with the formation of the World Organization to Combat Israeli Racism.

The largest challenge in this regard is the translation of the final statement of the Durban conference and the statement made by the world NGOs into practical measures and to have coordination at the local and regional levels to develop an

action plan in spite of the fact that Mrs. Mary Robinson refused to accept the statement and considered its wording unacceptable especially when the announcement of the final statement coincided with the occasion of the terrible attacks on New York and Washington D.C.

On 30 August 2001 & 20 September 2001, the ATF held two separate meetings on the role of NGO's in facing the policy of house demolitions in Jerusalem.

A Palestinian delegation representing the Network of Palestinian NGOs attended the World Forum on Globalization and world trade which was held in Beirut in October. It was held following an initiative made by the Arab NGOs for development.

During the first days of the Forum, the issue of the Palestinian question was dominant, and this is noticeable in the worksheets, discussions and the workshops which exceeded 15 in number. They concentrated on the threat to the stability of the Middle East which will not be achieved unless a solution to the Palestinian question is found. This threat reflects also the reluctance to end the last pocket of colonization, which is represented in the Israel military occupation of Palestinian and Arab, territories.

The Institute for Research on Economic Policies has prepared a study on the Palestinian NGOs in the West Bank and Gaza Strip. The study included tables and in depth analysis which indicated that more than one third of these NGOs was established after 1993. The study has also revealed that there is a general weakness in the internal structure of these NGOs especially in relation to planning. It has also detected a strong weakness in important aspects of the activities and functions of these NGOs at the quantitative and qualitative levels.

The study indicated that because of the absence of documentation in many non-governmental organizations, they lost their historic dimension and the possibility obtaining benefit from its past experiences is also lost. There is also no transparency and cooperation in presenting accurate and correct information is nonexistent between them because of a number of different known and unknown reasons.

As for the activities of the charitable societies, they include offering traditional services that meet the needs of targeted groups in the society.

The network of Palestinian NGOs involved in the environment have decided to boycott and refuse any joint projects with the Israeli side whether it was within a dual frame or a regional one. It has also decided to freeze the membership of Palestine in Society of Earth Friends – Middle East branch because of the Israeli dominance of this society and its exploitation to achieve pure Israeli objectives.

4.2 Human Rights Organizations

The human rights organizations have tried through its council to activate its role and follow up Israeli violations; however, there are obstacles that limit its capabilities and this has backfired on its performance and caused a freeze of its activities since the first three months of the Intifada. Even that time was characterized with duality in work since all institutions misused and abused documentation and the release of statements. Soon it was clear that these institutions are following a path that is of a little value.

This has clearly shown that these institutions are in need to carry out concrete changes in their performance in order to rise to the demands of the Intifada. What is new in this respect is that the council has decided to hold continuous periodic meetings to discuss its different affairs.

Human rights institutions have individually resumed its activities and continued releasing periodic reports on the Israeli violations of Palestinian human rights by documenting the number of Intifada victims and the number of martyrs. It also participated in meetings that supported citizens, released statements and invested it locally and internationally. It also kept open channels with international parties and received many foreign delegations in their show of solidarity with the Palestinian people in their crisis. It also kept these delegations informed about the political situation. Moreover these institutions organized rallies and sit-ins in protest of Israeli practices.

These institutions called upon the world public opinion and governments especially those pro-Israelis to take a stand that ensures a halt of Israeli practices against citizens houses since these practices represent a flagrant violation of international laws. It is also very provocative and contribute to instability in the Palestinian territories especially in the city of Jerusalem. Moreover, these institutions stressed the need for finding a strategic plan to combat the policy of house demolition whether in the West Bank, Gaza or Jerusalem.

When the Palestinian Authority reopened the file of political arrest, it has caused a great concern for human rights institutions especially following a number of explosions and the assassination of the Israeli Tourism minister. Because of that incident, Sharon government classified the Popular Front For The Liberation Of Palestine and both HAMAS and Islamic Jihad movements as terrorist organizations and demanded that the National Authority arrest its members.

The Authority has carried out these arrests because of security justifications and the higher interest of the Palestinian people. This justification was not accepted by the PLC or the concerned human rights organizations. The latter did not only release statements but also kept calling for a continuous action plan to oblige the Executive Authority to implement rulings of the Supreme Court of Justice to release scores of political detainees.

Al-Mezan institution in Gaza, Gaza Program for Psychological health, Center for Democracy, Personnel Rights, Addameer – Prisoner Support Association and Palestinian Independent Commission for Citizen's Rights have in cooperation with the Network of Non Governmental Organizations formed a legal committee to defend political detainees and warned against responding to the Israeli wishes especially when the purpose behind these arrests was to show the Authority's good will in having a cease fire and combating "violence and terrorism". This approach has influenced individuals who have no links with the unwelcomed organizations. This has come at a time when the Palestinian arena is in great need to unify its efforts and show respect to citizens and their freedoms.

Human Rights Organizations have also participated in a series of activities in commemoration of the International Day for the Support of Torture Victims on 26

June 2001 with the participation of the Ministry of Prisoners Affairs and the representatives of political parties.

STRENGTHS

1. The active participation in international conferences and forums on the Palestinian question.
2. Success in starting and activating the international popular front for the protection of the Palestinians.
3. Intensive efforts to frame Jerusalem institutions after they have become targeted by the Israeli authorities.
4. Fast response and adaptation with emergency cases.

WEAKNESSES

1. Relations built on suspicion and unfriendliness between civil action and some official institutions.
2. Incomplete and unfulfilled legal stipulations for number of NGOs.
3. Weakness on the management and financial levels in many NGOs.
4. Imbalance in financial support between the NGOs' this is related in many instances with personal contacts and the temperament of the funding parties.

Conclusions

1. The recent **Israeli aggression** which started with the provocative visit of "Sharon" in coordination with "Barak" to Al- Aqsa Mosque expresses a hidden desire to abort the peace process and destroy the achievements and aspirations of the Palestinian people.
2. Escalation of the Israeli attack is taking place in accordance with an already set plan which aims at using all the Israeli military force to inflict a large scale damage of the infrastructure and the political entity of the Palestinian people and in order to impose a **political settlement** that meets the military interests of occupation. This will only take place by ignoring international legitimate resolutions which are the bases of any political settlement.
3. The Palestinian people is practically facing an imposed war on it and has no other choice but to face it and combat it since it aims at capitulating its will and destroying its achievements and aspirations.
4. In spite of the lawfulness of the **Palestinian position**, it is useful to question whether the military escalation which comes in retaliation for violent acts against civilian Israelis is considered as part of the legitimate resistance movements or it will weaken the Palestinian position and give a pretext to the Israeli Authorities to go ahead in executing its plans which are based on the maximum use of military force against the Palestinian people and its institutions.
5. The current incident have brought forward once again large questions on the extent of righteousness in adopting the Oslo Accord and to embark on a process of national construction in spite of the restrictions of the Accord especially after it became crystal clear that this Accord maybe completely abolished by the Israeli government.

6. The previous reports have stressed the great difficulty of carrying out the **dual mission** which the Palestinian people have to face; first they have to carry out the mission of national, institutional and democratic process of construction; second they have to carry out the mission of national liberation. It is clear now that this dual mission is paradoxical, so there was a need to solve this paradox in order to complete the process of national liberation since it is a precondition for any progress and development .
7. The stipulations of the **Oslo Accord** have brought forward more contradictions within the framework of the activities of the national liberation process itself and the fight against aggression.
8. The **Palestinian leadership** has shown unprecedented steadfastness in facing the policy of the Israeli arrogant policy . Both the leadership and the Palestinian people have patiently and honorably withstood the Israeli destructive force and at the same time tolerated the Israeli attempts to hurt and deliberately humiliate them. Practically speaking, the Palestinian leadership is waging a vicious battle imposed on it and history will only judge whether the policy followed by the leadership will backfire on the Palestinian people or whether it will be included on the list of other people who have resisted the occupation and obtained its freedom at a high price.
9. The **Palestinian Leadership and Institutions** are to be blamed because they were not well prepared to face and contain the impact of the Israeli acts of violence and destruction. There is a question here; Was such preparation and readiness on part of the leadership and institutions required in the first place since the aim is a process of state building that takes place within the framework of a political agreement! Moreover, huge investments were made in the field of institutional, operational and economic development. It seemed that the Palestinian Leadership is following a dual policy; one aspect calls for resistance and the other condemns its results and actions. This dualism will undoubtedly influence the morale and provide the legal justifications for the Israeli practices against militants.
10. The **institutions of the Authority** have responded at a reasonable rate and within the available means to the desperate needs of the citizens whose houses were destroyed. Also they met the health and educational needs of the citizens, but there was no response to the economic and financial crisis that the citizen had to put up with.
11. In spite of approving and ratifying many urgent **laws** to manage and organize the affairs of the society, these laws did not actually come into effect and were not considered in tackling the current situation. This may either be due to the absence of the executive rules and regulations to implement these laws or due to the absence of necessary financial and material needs required to implement them.
12. The value of the general debt is on the increase and the absence of a sound **control on loans** is a source of great concern on the long run. Its significance and impact gain more weight in light of the terrible destruction of the facilities at the hands of Israeli forces.
13. The **security establishments** and its members have shown a high degree of flexibility , adaptability and remobilization in spite of the intense and repeated attacks on its headquarters by the Israeli fire. The full obedience and commitment of members of the National Security to Leadership commands was very clear. These forces have resumed its task of defending citizens, their

safety and their property within their own obligations. Nevertheless, the contradiction emanating from the political settlement strongly reappears in the field of security when it comes to political arrests and the followed procedures in this situation. There is also a feeling of discomfort and uneasiness towards the so-called “Security Coordination with the Israeli Departments”.

14. The Intifada and the current confrontations have brought into light a worrying phenomenon regarding the size and impact of **collaborators** and agents working with the Israeli military establishments. This shows the great inefficiency in the preventive side. The question here is why there is a big number of these individuals and what are the economic motives and others that encourage this phenomenon to increase. In return, practices of violence and torture of detainees and those suspected of collaboration during interrogation should be stopped to pave the way for punitive procedures dictated by the rule of the law.
15. The conditions of the Intifada have aggravated the suffering and hardships of the **local councils**. In addition to a drop in the level of services, additional burdens were put on the councils as a result of the Israeli forces aggression on the citizens and the policy of closure and siege which is practiced by the Israeli forces. This situation requires a wide social participation in all decision making process in order to face increasing burdens.
16. The **General Control Bureau** has to carry out additional and wider tasks especially at this difficult and critical time.
17. The extent of the impact of the limited democracy which is represented in the presence of the **PLC** is unknown. It is also unknown whether the holding of periodic elections and activation of democratic process will influence and better direct the course of events. The interim stage is not a convincing justification for not holding these elections. In general, the role of the PLC was not strong enough to bring about any positive and meaningful impacts during the current phase due to a number of internal and external conditions.
18. The package of the **judicial procedures** which were approved recently is considered a significant and positive development that helps and hastens the process of transforming the Judicial System into a prestigious authority. In this respect, there are new changes like the appointment of new judges, the ratification of a group of judicial laws and the formation of the Higher Judicial Council. However, the issue of activating laws is a priority especially the executive regulations and the allocation of needed funds for the relevant laws.
19. By facing the state terror which the Israeli Government is practicing, the Intifada has contributed in strengthening the Palestinian **national unity** through the legendary steadfastness against the Israeli arsenal. Nevertheless, the ambiguous political agenda of the Intifada may bring into effect future changes especially if the Intifada reached a political crossroads at a certain stage. It is also unknown whether there is enough democratic discussion of the different techniques used by different factions or otherwise. It is also not clear whether there is an agreement on these techniques or some of them are being implemented in spite of the opposition of other parties.
20. The record time that the **NGOs** have shown in their response and adaptation with the state of emergency during the course of events is a credit to these organizations. However, it is important to note that it is essential to tackle the administrative and legal stipulations necessary for the development and proper functioning of these organizations.

