

Arab Thought Forum

Democratic Formation In Palestine

Report on the status of democracy in Palestine for 2004

**Jerusalem
June 2005**

This report is the outcome of teamwork.

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Democratic Formation in Palestine (7)

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The production of this report is sponsored
by United Nations Development Programme
UNDP - Jerusalem



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Important Dates

- 1/8/2004** Sheik Ahmad Yassin announces that Hamas will accept a temporary peace if Israel will acknowledge the 1967 lines as a basis for establishment of a Palestinian state, if the settlements will be demolished, and if Palestinian refugees will have the Right of Return
- 1/11/2004** Over 120,000 Israeli right-wing activists participate in a march and demonstration opposing the disengagement plan
- 1/14/2004** Israeli Commander in Chief, Moshe Yaalon, announces that the head of the Hamas movement is targeted for assassination
- 1/16/2004** The Israeli government announces that the assassination plans have been postponed
- 1/26/2004** The Israeli government refuses Hamas' suggestion for a ten-year armistice in order to establish a Palestinian state within the 1967 borders
- 1/28/2004** The Israeli government releases hundreds of detainees, including the Lebanese Mustafa Aldirani and Abdel Karim Obeid, as part of the mutual agreement with Hezbollah
- 2/7/2004** The Palestinian Military Court in Gaza accuses four Palestinians of planting bombs that resulted in the killing of 3 armed American police
- 2/18/2004** The Red Cross determines that the Apartheid wall is in complete violation of International Law
- 2/25/2004** Israeli forces enter four banks in Ramallah and confiscate millions of dollars and classified files
- 3/8/2004** Abu Al-Abbas dies under vague circumstances at an American-run prison in Baghdad.
- 3/21/2004** Sheik Ahmad Yassin announces that the Israeli assassination policy demonstrates the government's inability to address problems.
- 3/22/2004** Sheik Ahmad Yassin is assassinated and seven of his service men are martyred in Gaza when three rockets are fired at them. Additionally, 15 passers-by were wounded in the incident.
- 3/22/2004** Abdel-Azzis Al-Rantisi is appointed as the new head of Hamas in Gaza.

- 3/22/2004** Shimon Peres declares that the Israeli assassination policy is misguided, but reiterates his support for the Sharon government
- 3/24/2004** Moraines announces that the assassination of Sheik Ahmad Yassin is strategically misguided and opposed by the world
- 3/25/2004** The U.S. vetoes a Security Council resolution accusing the Israeli government of assassinating Sheik Ahmad Yassin
- 3/28/2004** The Israeli Attorney General legally chastens Sharon for corruption
- 4/2/2004** Sharon announces that President Arafat is not protected from the danger of assassination
- 4/14/2004** President Bush, in his tenth meeting with Sharon, offers him a letter guaranteeing that Israel need not recognize refugees' right of return or withdraw to the 1967 lines
- 4/15/2004** The announcement of the disengagement plan and publishing its details
- 4/17/2004** Israeli forces assassinate Abdel-Azzis Al-Rantisi and two in his company in Gaza Strip
- 4/17/2004** European Union Minister refuses the American guarantee letter to Sharon, reiterating that the EU will not admit any changes to the pre-1967 borders and remains committed to the refugees' right of return
- 4/18/2004** The Church of the Nativity closes its doors, decrying the assassination of the Hamas leader
- 4/23/2004** Sharon rescinds his previous guarantee to Bush not to assassinate President Arafat
- 5/6/2004** UN General Assembly announces its decision that the territories occupied since 1967, including East Jerusalem, are still considered occupied territory, and is not subject to the governance of the state of Israel
- 6/16/2004** President Arafat signs an official legislation approving PLC elections
- 6/30/2004** French Foreign Minister criticizes Arafat's long-term arrest, saying that the detention is inappropriate for any elected leader
- 7/5/2004** French Foreign Minister unexpectedly visits the Occupied Palestinian Territories and visited Arafat, calling for his release from detention

- 7/10/2004** The International Court of Justice rules that the Wall is illegal under international law
- 8/18/2004** Arafat gives his final speech before the PLC
- 9/22/2004** Sharon promises Arafat that he will face the same fate as Sheik Ahmad Yassin and Abdel-Azzis Al-Rantisi
- 9/26/2004** A key Hamas leader is assassinated when his car is bombed in Damascus. Israeli authorities are accused of responsibility
- 10/5/2004** The U.S. vetoes a Security Council resolution against Israeli actions in the Occupied Territories
- 10/6/2004** Dov Weisglass, Sharon's Chief of Staff, announces the guarantees President Bush provided to Sharon
- 10/14/2004** Elections registration closes in almost 1000 small cities, but remains open at 16 centers in major Palestinian towns
- 10/18/2004** The Palestinian Authority announces that President Arafat's health is worsening
- 10/26/2004** The Israeli Knesset approves the disengagement plan.
- 10/28/2004** President Arafat heads to France for treatment.
- 10/31/2004** Christians from Gaza hold special prayer for the health of President Arafat
- 11/6/2004** The PLC decries the American veto of the Security Council resolution
- 11/11/2004** President Arafat dies in Paris. Many Palestinians suspect he was poisoned.
- 11/22/2004** The Central Committee for the Fatah movement approves the selection of Mahmoud Abbas as its Presidential candidate for the PNA
- 12/23/2004** The first round of municipal council elections in 26 Palestinian cities in 28 years.
- 12/25/2004** The Palestinian Presidential Election Campaign begins

Introduction

This is the seventh annual report on the state of democracy in Palestine. It coincides with ongoing Palestinian uprising against the Israeli occupation. In fact, the Israeli government still determine to pursue a policy of enforcing unilateral agenda involving combination of acts including the unilateral partial withdraw, the apartheid wall, the closure and the assassinations together with Arafat's mysterious departure. The aim of this policy is to force the Palestinians to alter internationally approved resolutions concerning Palestine and reaching unilateral settlement that would legitimize the occupation and perpetrate the colonization of Palestinian areas and exert political, economic and military control forcing the PA to become just a local administration to deal with daily affairs of the population.

The late President managed to place the Palestinian cause as a top international priority which should remain the case until achieving the Palestinian aspirations. Palestinian performance in the aftermath of Arafat's death is noteworthy. It was prudent and reflected a high level of responsibility. The presidential election offers an opportunity that should be taken, before it is too late.

The Arab Thought Forum (ATF) was keen to issue the fourth, fifth and the sixth annual reports concerning the state of democracy at a time when addressing such issues seemed a futile luxury. It looked as if the priority should be focused on fulfilling national liberation and dealing with economic and security matters. In fact the calls for reform were not only a precondition for moving on but true steps have been taken in this respect responding to calls that were there since several years.

While the ATF recognizes the importance of reform and developing democratic practices, it is aware that this is not possible without fulfilling sovereignty. In fact such calls are nothing but an Israeli attempt to extend the occupation. However, the issue of reform remains on the top of Palestinian priorities. It is not merely temporary tactical measures or submission to external pressures but binding principles that need to be addressed as a matter of Palestinian concern.

The ATF is keen to grab the opportunity to move forward but is apprehensive to attempts to externally impose a leadership. Democratic formation needs to pass through legitimate tools through frameworks determined by the people.

Attempts for external intervention are bound to cause a polarization within the

Palestinian society that could shift the focus off from the need for reform. This is particularly true in light of the Israeli right-wing government's drive to perpetrate occupation and deny Palestinian rights.

For the international role to be effective there is a need to assist the local community to develop the democratic formation through providing the tools and means that are necessary for such course of action. The ATF is aware of official Israeli intentions and thus defends the Palestinian legitimate leadership without losing sight of problematic areas that need to be addressed. This process is bound to speed up the process of establishing an independent Palestinian democratic state.

Consistently, the ATF stressed that it neither seeks to flatter or condemn but to objectively diagnose strengths and weaknesses with the purpose of rectifying matters. In other words, the ATF is not in a position to take sides other than the ultimate interest of the Palestinian people with a deep understanding for the prevailing interests and sensitivities.

Our target in this report is not to point fingers but to uncover and take note of problem areas with the purpose of treatment. Accumulation of errors could undermine the process of moving on. More than ever, the current conditions require strengthening the inner front and treating ailments as part of the overall nation-building that Palestinians are yearning for.

Methodology

This 7th annual report is a summary of three periodic reports and twelve monthly reports issued by the ATF in the period between January and December 2004. These reports cover the process of democratic formation. Each report differs in its methodology of addressing targeted topics. The monthly reports are a monitor of current events and issues. The quarterly reports are a description and analysis of main events indicating democratic formation and draw specific conclusions concerning the period under study. The general report seeks to analyze all the aforementioned aspects; underlining weaknesses and strengths in light of steps forward or backward and following up the daily course of events during the given year. In addition, it analyzes and summarizes issues tackled by the annual report.

The series of reports (whether monthly, quarterly or this annual report), seek to underline elements, supportive or disruptive, of the process of democratic formation. This report is a by-product of the systematic monitoring of events drawn out from the press, information issued by government or non-government sources as well as reports by international institutions operating in Palestine. It also includes public opinion polls conducted by local institutions.

From an analytical point of view, the activities of the Arab Thought Forum and the Citizens' Rights Center play an important role in crystallizing various opinions and analyses. Such activities include a wide array of opinion articulated in the meetings of the ATF, and involve a broad spectrum of participants from the Palestinian political and intellectual leadership.

As for the style of exposing topics, the Arab Thought Forum has chosen to approach the issues addressed in a way that considers both the horizontal and vertical relations between Palestinian society and its institutions. Additionally, the ATF sought as much as possible, to take into consideration views made by participants in discussion sessions about the previous general reports. This formed an integral part of the preparation of the current report.

It should also be noted that the quality and conclusions of the general report are largely affected by information and reports supplied by relevant parties. The more official departments come up with reports; the more possible it would be to assess performance in democratic formation. This will become clearer to the reader as we proceed.

In light of the absence of clear, endorsed, integrated measurement tools to assess democratic formation quantitatively and qualitatively, this report has limitations to the monitoring of democratic formation. To compensate for that, the report contains statistical tables to indicate impact trends.

The importance of producing such graphs and tables has also to do with linking the process of democratic formation to the level and quality of services provided by public institutions. As such, the ATF is not merely interested in tracing traditional, academic and democratic transformation, but also in concrete results and services provided to the public. The motive for that is that democracy is not an end in itself but a means to secure better services to the public.

In this respect, the ATF in its reports does not deal with the issue of democracy in an abstract manner or as a pure academic exercise, but sees a clear connection between theory and practice as well as justice, social welfare and services that are provided. This emanates from the view that all of the above are integrated and interdependent. Otherwise, democracy becomes a futile exercise and void of its content with no qualitative relevance to the public. Not less important, the report also sees the connection between the status of democracy and the general political situation. In the conclusions, one cannot ignore that the country is still struggling against the occupation and is in a process of national liberation. During the successive years of issuing this report, there has been an obvious escalation of oppressive measures by the Israeli occupation. This has become especially a reflection of the return of direct Israeli rule to most Palestinian areas.

The ATF acknowledges the efforts of some specialized institutions that have provided valuable quantitative information included in this report and is indebted to members of the Board of Trustees and concerned friends whose meticulous comments have enriched the report.

General Outlook

This seventh annual report issued by the Arab Thought Forum (ATF) comes 51 months after the eruption of Al Aqsa Intifada. The Palestinians continue to suffer at the international, regional and local levels, with no indication that this gloomy situation will be remedied in the near future. The Palestinian public, caught in the midst of this struggle with very few political options at their disposal, continues to absorb the blows dealt them, even amidst disintegrating conditions and political realities over which they have no control. It seems that in the current Intifada – which has deeply affected the political climate in Israel ground-level realities in the Palestinian territories – Israel is seeking to collectively punish the Palestinian people through cruel policies adopted by the Sharon government.

In fact, this government was keen to emphasize that it is determined to pursue an extremist policy based on a unilateral agenda to be enforced on all actors. To justify the policy of unilateral separation, the Israeli propaganda machine coined terms such as “Positive Assassinations” and foiling “Ticking Bombs”. All red lines have been crossed with the murdering of Sheikh Ahmad Yasin, Founder of HAMAS, along with a number of his companions, just after they had performed their dawn prayers. Immediately afterward, his successor Abdel Aziz Rantisi was targeted in the same manner of shelling through helicopter rockets.

Simultaneously, the plan to complete the Apartheid wall is underway, together with the scheme to unilaterally withdraw from the Gaza Strip and dismantle a few settlements in the West Bank. Following the meeting with the US President on April 14 to market his policies, Sharon received what was referred to as a “New Balfour Declaration”. It included an American green light to cancel the right of return, conniving to the annexation of settlement blocs in the West Bank, no return to the June 5, 1967 borders and preempting any other political projects.

In fact, the Sharon plan dismissed the Palestinians as a counterpart. In an unprecedented manner, the US President provided legitimacy to the settlements within the Palestinian areas offering what he does not own to those who are not entitled to such rights.

The Israeli premier managed to have the US administration adopt his scheme for the separation plan and an interim Palestinian state with no borders in most of the

Gaza Strip and 40% of the West Bank. In essence, this brings the peace process to a standstill and prevents the establishment of a Palestinian state. On the other hand, Sharon faces internal problems with the possibility of having early elections and further divisions over his plan. However, he managed to attain legal endorsement for the separation and bring in the Labor party. Following Arafat's death, there was no need to "demonize" the Palestinian leadership in order to promote Israeli objectives. Actually, there is no ground to resume negotiations with the Palestinians in light of the guarantees offered by President Bush. Thus the return to talks seems distant.

Furthermore, Sharon capitalized Palestinian mistakes both at the level of reforms or targeting civilians. On the one hand, he destroyed Palestinian installations impeding the development of an entity. On the other, he covered up his family's involvement in corruption cases. Following police investigations with Sharon himself, the Prime Minister, under normal conditions and proper procedures, had to abdicate¹. In fact, the media revealed an unabashed interconnection between business deals and the political authority. The implication of Sharon's son in deals amounting to millions of dollars with impunity is a precedent that it is possible to get away with criminal activities².

At the Palestinian level, Sharon managed to get a US endorsement of his policies undermining the illegality of settlements and the apartheid wall, and denying the Palestinian right of return as stipulated in Resolution 194. Such a turn of events did not occur overnight. It was a result of close cooperation and coordination between Sharon and Bush. Since 2001, there were ten work meetings between the two to the tune of a meeting every four months. During those 40 months, the US President refused to hold any meeting with the Palestinian President.

Within such a close relationship, every meaningful Palestinian representation was de-legitimized, yet no clear political plan or time-framework was established for their participation in decision-making regarding the peace process. HAMAS leadership was largely liquidated, while FATAH activists were besieged in the Muqata'a or in prisons. Israel dispelled all proposals to hold a truce and insisted on perpetuating various crimes against Palestinians³. Settlement activity was relentless,

¹Yoel Marcus, Haaretz, March 30.

²Eitan Haber, Yediot Ahronot, March 10.

³Tsvi Barel, Haaretz, May 23.

to the point that Israeli Defense Minister Shaul Mofaz complained on September 9 that settlements in Gaza were a strategic mistake. Extra-judicial killings, house demolitions and repeated attacks on civilians went unhindered. While such measures did not have any tangible impact on the US administration, the public opinion polls indicated that 54% of Americans and 45% of American Jews support imposing sanctions on Israel in light of human rights violations in the Palestinian areas and called for nuclear disarmament⁴.

On August 19, Advisor of the National Security Council Condoleezza Rice declared that the “Israeli authorities have to end the occupation that started in 1967 and abide by the commitment to freeze settlement activity and fulfill all its obligations.” President Bush reiterated such a position in his UN address on September 21 stating that “Israel has to freeze settlements and dismantle arbitrary outposts and cease daily humiliation practices against Palestinians.”

At a time when cruel measures against Palestinians proceeded relentlessly, Sharon sought to market his Gaza evacuation plan as a grand step of flexibility. In fact, Dov Weisglass, the Director of Sharon’s office, clearly declared that the evacuation of Gaza was to undermine the Road Map. The so-called separation is intended to put the Bush plan into a deeper freeze. It would allow the Israelis to proceed with their plans unimpeded. The nominal dismantlement of some West Bank settlements is merely a tactical step to allow 190 thousand settlers, out of a total of 240 thousand, to stay on in the West Bank⁵. Sharon was quite clear on this when he stated that withdrawal from Gaza will enhance Israeli control over other lands, meaning the West Bank.

⁴Public Opinion Poll, American National Internet Council, April 13.

⁵Interview with Ari Shavit, Haaretz, October 8.

Incitement

The military assault launched by the Sharon government was not confined to destruction and killing. It was accompanied by a tremendous media-campaign involving a systematic psychological warfare to disarm the Palestinians even from verbal arguments. Palestinian calls to end the occupation and dismantle settlements as stipulated by the International law were labeled as engagement in terrorism and incitement. All Israeli actions were portrayed as self-defense against terror. Even worse, the US endorsed such positions, including the fabricated charges of incitement.

Sharon repeatedly reiterated calls for the PA to halt what was referred to as incitement. Such “incitement” included the broadcasting of news about Palestinian children killed by Israelis, settler excesses, maps in school textbooks, and certain Koranic verses. On November 19, Sharon called for an immediate halt of the “anti-Israel” TV and media campaign. Again, the calls to change the school curriculum were requested as a test to the peaceful orientation of the PA.

Within such a campaign, on September 7, the Israeli army and Foreign Ministry created a list of Palestinian school textbooks that do not include a clear recognition of Israel or encourage peaceful coexistence with Israeli society. Reference was made to textbooks that utilize terms such as “martyr,” “Jihad” or “resistance.”⁶

Such a campaign did not impress the Palestinian public, which saw this move mainly as a cover-up to conceal Israeli practices and excesses against the Palestinian aspirations. In fact, Israeli Knesset member Yossi Sarid declared that: “The Israeli army is bankrupt. Talk about purity of arms is nonsense.”⁷

Along the same lines, Israeli author B. Mikhail rebutted that Israeli practices are the real incitement. He cited the following issues:

- Continued defense of the occupation of another people’s land, along with settlement activity and the draining of natural resources⁸.
- Denying Palestinian rights to a state of their own.

⁶For further detail, Akiva El Dar, Haaretz 10 September 2004.

⁷Speech at Foreign Affairs and Security Committee of the Knesset, October 12, 2004.

⁸Yediot Ahronot, November 23.

- Israeli geography textbooks never mention the word Palestine.
- Official and school Israeli maps show the West Bank and Gaza Strip as part of the Israeli entity.
- The Israeli government and the Knesset provide a legal cover for groups calling for the expulsion of Palestinians. In fact, the Knesset approved, at the request of various ministries, legislation that contradicts with International Law. This was done to justify confiscation and control of Palestinian lands or undermine citizenship rights under various pretexts or taxes.
- Allowing bloodshed without considering that a punishable crime.
- Considering the Palestinian right of return as a belligerent act undermining Israeli security while any Jew from anywhere is entitled to live on lands captured from Palestinians.

In a significant clarification on the issue of incitement, a former Israeli official⁹ declared that the eruption occurring in September 2000 was part of the misinformation campaign started by Barak in conjunction with Sharon. The former Prime Minister established a deceptive format to claim that peace with Palestinians is not possible. Such a position would leave them with one of two options: Either surrender or uprising. In both cases, Israeli massive power would be deployed. With a desperate mood, self-sacrifice in defense of the patrimony would be presented as a suicidal step justifying further intensification of military actions. The official added that the timing of such a plan in September 2000 coincided with Arafat's postponed date for declaring statehood. Confirming such a massive firepower against Palestinians, the former head of Israeli intelligence Amos Malka (1998-2000) declared that within the first month of the Intifada, the Israeli forces shot 1.3 million bullets on Palestinian civilians¹⁰.

The formal American position asserts the principles of the illegality of occupation, annexation of lands considering that settlements are an obstacle on the path of peace. However, conniving to Israeli policies unconditionally asserts the principle of sheer force as represented by the Israeli policy.

⁹Mati Shteinberg, Ex-Advisor of Shabak 11.6.2004.

¹⁰Akiva El Dar, Haaretz 11.6.2004.

The eruption of events in Gaza evoked US concern with developments in the Palestinian scene, despite the engagement in the presidential elections. The formal position was an unwillingness to exercise any pressure on Israel or impose a political settlement on both sides in the near future. However, news circulated in the media concerning Washington's secret acceptance since three years of the expansion in Israeli West Bank settlements came as a great shock to those expecting the Road Map.

Prior to the death of Arafat, the US emphasized criticism of the PA calling for a "reasonable Palestinian leadership." The pressure resumed with the reelection of President Bush. Instead of discussing issues of borders, areas and settlements, the focus evolved on issues like building a democratic society as a prelude to gain legitimacy, funding and land. Simultaneously, there are calls to cease incitement, fight terror and be keen on economic transparency. Achieving all of the above would pave the way to talks with the Israelis. What exacerbates matters are the concessions granted to the Israelis by President Bush in advance.

This includes maintaining major Israeli settlement blocs in the West Bank, canceling the right of return as well as withdrawing to the 1967 borders and accepting the facts on the ground. All of this reveals that it was not Arafat that has been the stumbling block in the failure to reach an agreement.

Initially, the European position was clearly defined in the Union's statement of upholding the 1967 borders without undermining final status issues. However, the position eroded gradually amidst a feeling of unease and concern. Europe is aware that without the US, its clout in controlling "terror" or involvement in the Palestinian/Israeli problem is limited.

On the other hand, the Arab situation is in shambles following the ramifications of the invasion of Iraq and the greater Middle East project with the mounting US pressure for reform and internal change.

As usual, the Arab position was limited to making demands, wishful thinking and calling the US to review its policies. All they got in return was a number of US "assurances" in contrast to the "guarantees" offered to Sharon.

Not much hope is looming in the regional and Arab horizon. US, Israeli and even

European pressures are focused on Syria, Lebanon and Iran over issues related to Iraq and support of HAMAS and Hizbullah. As for the Egyptian diplomacy, there is no confirmation of claims regarding a format to settle the Palestinian/Israeli conflict with the accord of all concerned parties.

Cairo played an active role in bringing Palestinian factions to freeze military operations for a year. The endurance of such a truce remains to be seen.

The Palestinian future, after 50 months of attrition facing the Israeli state terror, is in a stalemate. With the US conniving to Sharon's dictates, Europe is seeking to protect its interests and position within a new set of alignments. However, the changes on the international arena cannot be ignored. The Palestinians find themselves in unending tests of good behavior to earn the confidence of Bush and Sharon who merely come up with a series of dictates.

With the Palestinians cornered as "the accused party" for their self-defense, there is a concern to act responsibly in order to avert schemes of failing their aspirations of freedom and make their sacrifices worthwhile.

A number of issues of concern occurred in the Palestinian scene. It included public disorder and chaotic incidents with the loss of lives. The background had to do with power struggles among security establishments and the polarization within PA wings with the decline in the rule of law.

Being embroiled in absorbing and reacting to the fast-moving changes did not curtail achieving a certain international success. This occurred on February 23 at the International Court of Justice in Hague, when the Israeli position was in a corner and proper Palestinian preparation paid off. Lacking any convincing argument, Israel boycotted the court proceedings. In response, it circulated a charred Israeli bus in European capitals to show the results of Palestinian "terror". However, the battle against the wall is far from being over. An energetic campaign is needed to bring down that wall, once and for all.

Events precipitated on all fronts, particularly internally. In an attempt to resolve the issue of the duality of authority within FATAH, there were calls for reform and combating corruption. The International position headed by the US was closely monitoring the internal scene to deal with the possible ramifications of the total

collapse of the political process. Immediately, there were speculations as to the aftermath of the Arafat era and what the requirements are to sustain the PA.

UN Secretary General's special envoy Terje Rod Larsen caused a stir in the Security Council when he accused the PA and Arafat personally for failure to proceed in reform. He made no mention whatsoever to the Apartheid wall. All of a sudden, his status changed from a personal friend to Arafat and the authority to a *persona non grata*. The French position was quite the contrary with the Foreign Minister's insistence to meet Arafat on May 7 to the displeasure of Sharon. In addition, France sought to conduct a European campaign to lift the siege imposed on the Palestinian President. Chirac personally made it a point that Sharon is not welcome in France.

British Prime Minister Tony Blair's attempt to hold an international conference in London to move ahead the Road Map was nipped in the nutshell. With faltering US support and Israeli rejection, the proposed meeting became a forum to rehabilitate the PA. Political negotiations with Israel were dropped down from the agenda.

The outburst of internal fighting among Palestinians in Gaza reinforced Israel's public discourse that there is no partner to deal with. The claim was that Palestinians are incapable to maintain public order. Obviously, the Israeli Premier is betting on chaos spreading in both the Palestinian and Israeli scenes. While awaiting the outcome of the US elections, Sharon seems more adamant to confine the Palestinian state to the Gaza Strip. To overcome the internal crisis, he is creating new facts on the ground and acquiring US endorsement of his plans while setting up the ground rules of the American administration.

Two additional issues occurred having an impact locally and internationally. The first was a moral victory through the ruling of the International Court of Justice in Hague concerning the illegality of the wall. Sharon's response was prompt in rejecting the ruling out of hand and ordering continuing building the wall. The second issue was the general strike declared by the Palestinian prisoners in Israeli jails. However, the advocacy and solidarity activities in support of the strike, both internally and externally, did not yield much result.

Arafat's death came as a shock with the mysterious form of departure and the three funeral ceremonies in Paris, Cairo and Ramallah. A lot of analysis and speculation engulfed the matter with reference to Arafat's instrumental role in calling the shots

within FATAH, the PLO and the PA; His style of performance left its impact on the entire region.

Some observers claimed that Arafat took away with him the two-state solution. Others projected that a gloomy future awaits Palestine in his aftermath. With all what could be said about his performance with all of the mistakes or even sins and failure to fulfill his dream, Arafat did not make any concessions to the issue of refugees or accept a state short of sovereignty in the West Bank and Gaza Strip. With his *modus operandi*, he left what is referred to as “Arafat’s heavy heritage.” His forced departure from the political scene came amidst his people’s encirclement with all kinds of enemies internally and externally. The changes on the International arena further exacerbated the national cause which is undermined, together with the values of the resistance as a whole.

UN General Assembly Resolution 194

Nov. 12, 1948

The General Assembly,

Having considered further the situation in Palestine,

1. Expresses its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and Extends its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;
2. Establishes a Conciliation Commission consisting of three States Members of the United Nations which shall have the following functions:
 - (a) To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by the resolution of the General Assembly of 14 May 1948;
 - (b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;
 - (c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;
3. Decides that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;
4. Requests the Commission to begin its functions at once, with a view to the

establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. Calls upon the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly with a view to the final settlement of all questions outstanding between them;
6. Instructs the Conciliation Commission to take steps to assist the Government and authorities concerned to achieve a final settlement of all questions outstanding between them;
7. Resolves that the Holy Places - including Nazareth - religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposal for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;
8. Resolves that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem plus the surrounding villages and towns, the most Eastern of which shall be Abu Dis; the most Southern, Bethlehem; the most Western, Ein Karim (including also the built-up area of Motsa); and the most Northern, Shu'fat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

Requests the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

Instructs the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative who shall cooperate with the local authorities with respect to the interim administration of the Jerusalem area;

9. Resolves that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

Instructs the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. Instructs the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. Resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. Authorizes the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find

necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards for the protection of the staff and premises of the Commission;

13. Instructs the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;
14. Calls upon all Governments and authorities concerned to cooperate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;
15. Requests the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

1. Institutions of the Palestinian National Authority

1.1. The Executive Authority

1.1.1. The Presidency

On the dawn of March 29, 2002, Israeli tanks imposed a siege around Palestinian President Yasser Arafat's headquarters in the Muqata'a compound. Since that date, the President was not allowed to leave the premises until his final trip to France for treatment. His confinement lasted 912 days. The besieged leader ran the show from his besieged compound while Sharon kept to his tradition of ruling by the sword. The latter's motto was reduced into either victory or death. Assessing the changes on the international arena, the Israeli Prime Minister, after securing Washington's cover, moved on two fronts. The first was a political course to design and implement his plan. The second was military with an escalating pattern of state terrorism against Palestinians underlying that none of them has immunity.

Such challenges were obvious to Arafat, who sought to contain the deterioration and repulse the successive attacks against him. He also tried to expose the unilateral plan of withdrawal from Gaza as well as the illegality of the Israeli belligerent behavior not to underestimate internal and external challenges. Nevertheless, Arafat kept reiterating his commitment to peace and to all what had been agreed upon with the Israeli side. He declared acceptance of the Road Map expressing readiness to cooperate at all security and political levels to achieve a just peace. The President expressed an apprehension that there is not much time left to reach a peace accord based on two states. This was in response to Sharon's declarations to evacuate a few settlements in the West Bank and withdraw unilaterally from Gaza.

It may be assumed that the initial Israeli proposals to withdraw unilaterally from Gaza were encountered by the Palestinian commitment to the peace option, negotiations and the Road Map calling for specific mechanisms to implement the plan. Furthermore, the Palestinians emphasized commitment to Arab and International initiatives to achieve a truce and implement all security accords.

The steps taken by the President did not carry any surprise. Following consultations, the Arab initiative to condemn Israel for the assassination of Sheikh Ahmad Yasin

was foiled through a US veto in the Security Council. In addition, the five delegations formed by the effective support of Arab leaders to confront the unique conditions in the area and the escalating Israeli aggression against Palestinians. The Israeli stranglehold tightened with no sign of easing off. Quite the contrary, declarations were made against the Palestinian President such as Terje Rod Larsen's report to the Security Council on July 14. The report mentioned that: "President Arafat has not provided except partial and symbolic support to the Egyptian efforts to consolidate Palestinian security reforms. In fact, Arafat's siege in his compound is no excuse for the negative aspects in not taking measures in the security sphere." In another statement, Larsen elaborated: "The PA decided to hold local elections. However, it did not respond to the international demand to conduct reforms to hold fair and democratic elections. Instead, the PA formed an irregular body to hold elections to replace an objective and neutral body." Following the Palestinian elections, it became clear that Larsen's declarations and assessment were far from being accurate. In fact, his position was quite deceptive. President Arafat considered Larsen's report silly and unworthy to respond to. The Prime Minister also took issue with the report declaring that it equates the victim with the aggressor. Nabil Abu Rdeineh, (presidential advisor), stated that Larsen is a *Persona non grata* in Palestine. Larsen was probably seeking to resume his contacts with the Israeli government that were severed in 2002 when he strongly criticized the Israeli crimes during the massacre in the camp of Jenin.

Palestinian sources also revealed that President Arafat approved forming a united Palestinian leadership comprised of all factions including HAMAS and the Islamic Jihad. He formally invited HAMAS to participate in the PA, despite US warnings that viewed the Islamic movement as a "terrorist organization." As such HAMAS needed to be weakened rather than incorporated in the PA.

Scrutinizing issues reveals that the President considered that maintaining internal unity is the maximum that can be attained, regardless if the option was practical or not. Although Arafat's intentions were primarily tactical in nature, he felt that this is part of the confrontation with his archenemy Sharon. However, his options were limited in light of the internal congestion. A number of alternative options were reviewed on the background of the unfolding developments. This included the concept of dissolving the authority or turning towards the idea of a bi-national state or declaring the halt of negotiations. Within the ruling elite, there were even calls to deal with Sharon's plans.

Internal challenges were no less conspicuous than the external ones. Chaotic conditions and the decline in public order prevailed amidst calls to protect lives and property curtailing the mess. Calls for the purity of arms and the need to target it against the occupation were made. Resorting to violence and coercion was condemned to attain rights or repulse aggressions. The internal crisis was set in motion with the abduction of Colonel Ghazi Jebali and others. Protest demonstrations and counter demonstrations ensued. A number of shooting incidents occurred, including PLC member Nabil Amr who escaped death, while there were assaults on official and public institutions.

The response of the President was prompt. With the presence of the Prime Minister, the National Security Council convened to tackle the pending issues. Arafat held three successive meetings of the Executive Committee, the Central FATAH Committee and the National Security Council. As a result, two operation rooms were formed with the purpose of coordination activities with various factions to secure internal order. Strict measures were endorsed to maintain law and public security. However, as a result of the absence of law, a “value crisis” surfaced. Assaults on public premises were widespread, together with murder cases and clashes between factions resulting in the killing of bystanders. Calls for refraining from carrying arms during public rallies went unheeded; leading to the killing of a youth in Khan Younes on the 16th of April. Nablus mayor offered his resignation in protest against the pathetic conditions prevailing in the town.

President Arafat’s response to such challenges reflected the depth of the political crisis. He realized that containing such incidents does not necessarily imply putting an end to it. His decisions went along the demands to merge security establishments and be committed to reform. However, it was short of responding to certain consensual demands. Arafat conceded to dismissing Colonel Jebali and merging the security establishments into three bodies. However, his approach, as usual, was to find a formula to counter-balance various tendencies and parties. As a reflection of the complex situation, the President issued two contradictory decrees within two days. In addition, he rejected the resignations presented to him from leading symbols of the security establishments. The same occurred vis-à-vis the resignation of Prime Minister Ahmad Qurei’, which came in the aftermath of the kidnappings and the public disorder on July 17. A few days later, the resignation was withdrawn.

Furthermore, the President approved the demands of the PLC Conciliatory Committee. He committed himself to the Comprehensive Reform Chart approved in the PLC's sixth session in May 2002. Also, he approved to review the structure and terms of reference of the security establishment pledging to approve the bills presented from the Council. Arafat reiterated the call for a comprehensive reform of security establishments and PA bodies in his speech addressing the PLC on August 18, 2004. The move was combined with the approval of a tripartite committee on August 29 to be formed including the Presidency, Prime Ministry and Speaker of the PLC to spur reform steps and coordination among the three authorities as part of the President's efforts to cope with the situation.

Since early July, Egyptian efforts focused on an initiative that would address the issue of the Apartheid wall. This emerged as an issue of great concern to Palestinians with the Hague court ruling on September 7 as to its illegality. It is noteworthy that it was only one American judge that stood solely against 14 other judges in the ruling. Undoubtedly, this was a moral victory for Palestine setting the legal basis for a follow-up pending a UN Security Council Resolution over the matter. The Israeli decision to boycott the Hague proceedings indicated failure to face International law. The day of the convening of the court was a Palestinian event, *par excellence*, both inside and outside the court hall. It was an occasion when the Israeli propaganda machine failed to misinform its gross violations.

At another level, the President followed the belligerent Israeli attacks in places like Rafah and the Zeitoun neighborhood during late May. In early July, Beit Hanoun was targeted with the demolition of hundreds of houses. He declared that the events in Rafah constitute slaughter destruction and mass transfer calling for the halt of such activities and investigating it. However, the Israelis prevented access to the International Investigation Committee that was dispatched for fact-finding on the demolished houses on May 30. Shinui party leader Tommy Lapid compared what happened in Gaza with the behavior of Nazis towards his grandmother. He added that "We look like monsters in the eyes of the world."

The Leadership called for an emergency session of the UN Security Council to discuss the Gaza massacres which lasted for two weeks starting from September 30 in an operation nicknamed "Days of Sorrow." The operation started in northern Gaza and focused in Jebalya that was transformed into an actual war zone. The

result was murdering 133 martyrs with 26 minors and the elimination of hundreds of houses. By such actions, Israel is seeking to establish a 6 sq. km. buffer zone in preparation for withdrawal from Gaza.

The President conducted contacts with the Egyptians over the issue of Israel's withdrawal from Gaza. He made it clear that the PA is ready to assume control of the Strip, provided other withdrawals occur in the West Bank. The purpose is to curtail attempts to establish a "Gaza Administration" while circumventing the PLO and the PA. The Palestinian Leadership stressed that this is an issue of special importance. Sharon's unilateral withdrawal is perceived as a trap to drag the Palestinians.

The President offered condolences for the death of the Palestinian Liberation Front leader Abu Abbas that perished on March 9, 2004 following around a year of incarceration in an American prison in Iraq. Palestinian efforts to bury him in Ramallah failed. He was laid to rest in Damascus.

A Mysterious Death

Chronology of Events Leading to President Arafat's Death

September 11, 2003:

The Israeli Cabinet decides, in principle, to get rid of Arafat.

April 1, 2004:

Sharon in a TV interview declares: "It is not certain for Arafat to be where he is."

April 2, 2004:

In an interview with Haaretz, Sharon states: "Arafat is not immune from assassination or death. I do not advise any insurance company to make an insurance on his life."

April 3, 2004:

US Deputy State Secretary Richard Armitage declares America's objection to deport or assassinate Arafat assuring that such a step would reflect the failure of Israel.

April 4, 2004:

Israeli Health Minister Danny Naveh declares that Arafat is a greater threat than Sheikh Yasin who was assassinated by the Israeli army.

April 5, 2004:

The White House warns Israeli Prime Minister Sharon of issuing an order to get rid of Arafat; emphasizing that Sharon knows this well.

April 23, 2004:

Sharon informs Bush that he is not committed any more to preserve Arafat's life as had been promised earlier to the US President. The American Administration demands Sharon to honor the pledge not to harm Arafat. The Palestinian government issues a statement warning Israel not to cause any harm to President Arafat.

September 22, 2004:

In a TV interview, Sharon threatens Arafat with the same fate of Sheikh Yasin and Rantisi.

October 18, 2004:

The PA announces Arafat's illness.

November 11, 2004:

Arafat dies after two weeks from his announced ailment in Percy Military Hospital in France.

November 17, 2004:

Official declaration of forming a fact-finding commission to probe into Arafat's death, following doubts over his having been poisoned.

Since April 21, there were clear indications of the Israeli intents to target Arafat and tighten the siege on the Muqata'a in Ramallah. The pretext presented was that there were wanted runaways hiding within the compound. Arafat denied such charges. However, the Israeli media reported that Sharon demanded his security apparatus to evaluate the situation with the targeting of Arafat. This came in light of his confirming that Arafat has no immunity anymore. In response, the Palestinian areas witnessed a popular allegiance campaign in support of the beleaguered leader¹¹. Since early May, the Israeli campaign against Arafat was waged systematically. The Palestinian leader kept assuring that he will not budge under Sharon's threats.

With the repeated Israeli threats to get rid of Arafat, news spread towards the end of October that his health situation is problematic. In a sequence shrouded with mystery, a spokesman announced on October 28 that the ailing President will not appoint a substitute while he is pursuing treatment abroad. Thus, he headed to the French Percy Military Hospital which is reputed to deal with blood ailments, since there were allegations that he might be suffering from leukemia. The French Defense Ministry declared that all information related to the President's death is the domain of the spouse as is the case with French law. The news indicated that Arafat was in a deep coma starting from November 9 until he passed away on the dawn of November 11 in the French hospital. The body was laid to rest on November 12 in the courtyard of the Muqata'a in Ramallah with the assertion that this is a temporary burial site awaiting to take the remains to Jerusalem at the earliest opportunity.

Arafat's death aroused deep sorrow. His funeral attracted worldwide attention. After all, he was the leader of one of the greatest revolutions in the world. In this respect, the Israeli French journalist Amnon Kapeluik¹² wrote in his biography of

¹¹Arafat enjoyed wide public support. In two Najah University polls on January 20 and March 21, 2004 he had 72% support, while a General Information Bureau poll on June 26 put it at 63%.

¹²The Invincible Arafat, Amnon Kapeluik, Paris 2004.

the Palestinian President: “Arafat is the leader who transformed his people from a bunch of refugees to nationhood. His earnestness and confidence in the struggle for Palestinian statehood was unwavering. Undoubtedly, he is a model to emulate worldwide.” In the prologue of the same book President Nelson Mandela wrote: “President Arafat shall always remain a heroic symbol for all the peoples that struggle for justice and liberty across the world.” In his condolence, Terje Larsen, the UN Special Envoy to the peace process in the Middle East, declared that: “Arafat was a political genius embodying the Palestinian identity and, as such, he was an international political giant.” Another Israeli journalist added saying¹³: “Arafat for many years sought to achieve the aspirations of the Palestinians on the path of peace with non-violence means.”

A number of questions were raised throughout the ordeal of Arafat’s departure with increasing doubts that he had been poisoned¹⁴. The statement of the French Defense Ministry was abrupt and enigmatic, and it boiled down to announce that Arafat’s file is “ready” and will be handed over to the entitled party according to standard French procedures. Failure to detect any of the commonly-known poisons increased suspicions rather than dispelling them. Arafat’s spouse received the 500-page file. So did Nasser Qudwa, the late President’s nephew who handed it to the interim PA head Rawhi Fattouh that transmitted it to the Minister of Health for review. The President’s spouse caused a stir and evoked resentment with her loaded statements; accusing key Palestinian officials of seeking to bury Arafat while he is alive in order to replace him. She also tried to prevent access to the medical file other than herself.

Palestinian performance in the aftermath of Arafat’s death is noteworthy. It was prudent and reflected a high level of responsibility. The Cabinet announced forty days of mourning in Palestine. Rawhi Fattouh was sworn in the presence of Salim Za’noun, Chair of the PNC and Zuheir Sourani, Head of the Supreme Court as head of the PA for the 60-day interim period. The functions of the late President were transferred in a remarkably smooth manner. Fattouh issued a presidential decree on November 14 appointing Ahmad Qurei’ as Head of the National Security Council.

¹³Haaretz November 25, Danny Rubenstein.

¹⁴In a poll conducted on Dec. 12, 2004, the Center for Policy and Survey Research revealed that 72% believed that Arafat was poisoned and 64% held Israel responsible for his death. A similar poll conducted in Najah University on Nov. 20 revealed that 80% believe that Arafat died as a result of poisoning.

Final Speech of Yasser Arafat in front of the Palestinian Legislative Council (18-8-2004)

I am addressing you, today, after ten years have passed since the establishment of our National Authority. It is an occasion that requires us to stop and look into this march of ten years. It is a break to evaluate and to rectify, to see where we were right and where we went wrong and what is the way to correct the wrong. [No one is without mistakes. Let those who claim to be without a mistake throw at us a stone. It is an objective stand with the self, where we do not indulge in self-torture that eclipses what we have achieved, and where we do not try to ignore or cover up the shortcomings, the failings and incapacibilities wherever they may be. It is a stand which allows us to look into all subjective and objective circumstances that have formed and accompanied our march and put it back on its historic track taking into consideration all its national, regional and international ramifications. It is a stand that requires us to confirm our braveness by recognizing our mistakes, if be, and our firm determination by correcting these mistakes and setting them right.

This stand requires us to draw lessons so that we would be able to apply them in the best Palestinian national interest. The vitality of our great Palestinian people and the tradition of our long national march, are a great source of experience and determination for us to continue the march in a strong, resolute, determined and faithful manner in every stage and in front of every challenge. Ours is a besieged people. Its leadership is besieged. But we hold firmly to our national rights and aims. It is a wounded people, full of confidence, hope and belief in their cause.

Since the first day of the establishment of the PNA, we have affirmed and propagated during the presidential and legislative election campaign that, ahead of us, lays the achievement of a national working programme that has two national tasks. The first historic task was to put an end to the oppressive occupation of our land and Christian and Islamic holy places, and the establishment of the independent State of Palestine, with Holy Jerusalem as its capital. The second was the establishment of the PNA as a basis and foundation stone for building our esteemed independent state.

As to the first task, we had all the time affirmed the following basic points:-

1- The aims of the Palestinian people, as defined by the institutions of the Palestine

Liberation Organization (PLO), are determined by putting an end to the Israeli occupation; the establishment of the independent state of Palestine, with Holy Jerusalem as its capital, on all the territories occupied in 1967; we have made these decisions in 1988, at the PNC session held in Algiers, the protection of our Christian and Islamic holy places on this sacred and blessed land, especially confronting the threats directed against the Holy Al Aqsa Mosque by the Zionist extremists; and by solving the issue of the Palestinian refugees in accordance with the UN resolutions.

2- The road to peace represents to our people a strategic choice, since we have adopted the political programme of the PLO at the Palestine National Council session in Algiers in 1988. We are committed to the choice of negotiations to solve the conflict, as was determined by the peace agreements that started in Madrid, Washington and Oslo.

3- At the time in which we have made courageously the choice of historic reconciliation in the interest of peace we have affirmed that we are struggling to establish the independent state of Palestine, side by side with Israel, and we have warned, from day one, against the consequences of any Israeli practices, especially in the field of settlement, to undermine the possibility of establishing our state. I would like to remind you of one of the agreements I made with my late partner Yitzhak Rabin in which he said no new settlements, no new house to be added to any settlement, the fence of any settlement will be 50 meters far from the last house. These settlements were supposed to be removed around 1998.

We have entered, over the last years, the marathon of unending negotiations, with the Israeli side, especially with its peace force. We had to bear the ramifications of changes in the (Israeli) governments and ideologies. But, while we have clung, over the years, strongly to our rights, we were careful to support the choice of negotiations, and the peace of the brave. We raised the motto of demanding the implementation of the signed agreements. This we have done even in the darkest and most difficult circumstances, we have underlined, constantly, the role of the international community and the sponsors of the peace process. We have always affirmed that peace is not only in the Palestinian and Israeli interests but also it is in the interest of the whole region and of all countries the world over.

During all these years we have knocked at all doors. We have sought every possible glimpse of hope. We have studied and considered every possible proposal or initiative or project or plan. We have dealt with them with open mind taking as our guide the highest national interest of our people and the pan-Arab interest of our nation.

Testimonies have been made, over the last years, by international, US and Israeli previous and incumbent officials that testify that we did not squander any real opportunity that came in sight to us to make peace and to realize the hopes of our people in establishing just permanent and comprehensive peace in the whole region.

Yet, on the other side, the basic slogan of the Government of Israel, especially the incumbent one was: there are no sacred dates and priority goes to Israeli security. The assassination, at the hands of extremist Jewish elements, of our partner, Yitzhak Rabin, was the beginning of a fundamental upheaval, a coup d'état, at the Israeli political theater. The Government of Israel started to disavow the essence of the peace process and the partnership between us to make peace, the peace of the brave, the peace whose aim was to establish the state of Palestine, side by side, with Israel in order to make a new future for us, for them and for all the peoples of the region and the world over.

The most explicit embodiment of the attempts to destroy the peace process is the ongoing campaign of settlement of our land. This reached its apex with the project of building the wall of racial discrimination, called also the Berlin Wall, which confiscates 58% of our lands, including Holy Jerusalem, and annexes them to Israel. This aims at fragmenting the Palestinian geographic and demographic unity, turning our people into refugees, and putting the remaining Palestinians under siege and in cantons and prisons surrounded by settlements and walls that destroy any opportunity to establish the state of Palestine.

Israel rejected all Arab and international solutions and efforts at Camp David, Sharm Esh-Sheikh, Paris, Taba, the George Tenet-Understandings, the Mitchell Report, the efforts of the Quartet and the Road Map, which we accepted and which the Arab countries accepted at the Arab summit meetings, and on which Israel put more reservations than the text of the Road Map itself.

Israel continued its shelling, incursions, penetrations, assassinations and detentions; it continued to tighten the siege and check-points and continued to destroy the infrastructures that we have built. Israel targeted our fields, farms and our factories by waging a black campaign to destroy the achievements of our Palestinian people and to drive them into poverty and hunger.

The Israeli aggressive campaign concentrated on destroying the centers and headquarters of our security forces and apparatus, as well as our ministries and institutions and on tightening the strangulating siege to stop work at all our executive, legislative and judicial institutions.

The aim of the Israeli occupation was, and still is, to undermine, indeed, destroy, the PNA and to create a state of vacuum in order to claim “there is no Palestinian partner,” and to attempt to make the Zionist schemes pass which aim at undermining our people’s firm rights in their sacred land. They claim there is no Palestinian partner. But who signed the Wye River agreement with us? It is Netanyahu and Sharon themselves. Who signed the Paris, Washington and Oslo agreements? Cannot they see a partner? Or do they only see phantoms?

All this was accompanied by an outrageous campaign to defame our national struggle, to harm its guiding principles and humanist aims, in an attempt to link it to terrorism.

We were the first to condemn the barbaric attacks that were carried out in New York and Washington in 2001. We have clearly warned any party, against any attempt to take the Palestinian cause as a pretext, or to hide behind the generous Islamic religion in carrying out these deeds which we strongly reject and vehemently condemn. This we do, on the basis of our heritage, principles and values, because we are the victims of the Israeli state terror and the terror of the Zionist extremists their in. we have continuously affirmed the organic bond between our people’s struggle and their aspiration to freedom and peace.

Shurly, the ruling of the International Court of Justice, at the Hague, on the issue of the wall of racial discrimination, as well as the sweeping vote at the UN General Assembly in support of the ruling of the ICJ have confirmed, in an unswerving manner, that the world was not deceived by the Israeli campaign. The highest international judicial court, and the highest international forum have unmasked the

true picture which the Israeli governments attempted to cover, namely that there is an expansionist Israeli occupation which has to be ended, so that the Palestinian people recover their legitimates rights, their freedom and establish their independent state, like all other peoples the world over. We are now the only people under occupation in the world.

Despite all that happened, and is still happening, despite the ongoing aggression, despite the siege that our people, and we, are living through and feel in this Muqata'ah, which has been destroyed more than once, despite all that, I would like to assure you once again, that our adherence to our rights will be unswerving, that our belief in the choice of peace with Israel exists and is still strong as well as with the Israeli peace forces.

In this regard, and in front of you, members of the PLC, and before the whole world, I would like to reiterate, once again, that the Palestinian people, who are waging a struggle to get rid of the last remnants of occupation the world over, are determined to march on the road of peace in order to get their freedom, to end occupation and to build the independent state of Palestine, with Holy Jerusalem as its capital.

On behalf of the Palestinian leadership and people, I would like to confirm, once more, our holding tight to the choice of peace. I would like to confirm our call for the implementation of the signed agreements, the last of which was the Road Map, I would like to confirm as well our holding to the vision of US Preside George W. Bush and to the Arab peace initiative which was adopted at the Beirut Summit and reaffirmed at the Tunis Summit on realizing a negotiated settlement to the conflict that implements the decisions and resolutions of international legality.

I would like to confirm here, once again, the firm Palestinian position of condemning and rejecting all operations that target civilians, Palestinians and Israelis. It is a rejection that stems from our convictions, values, principles, heritage and the highest interests of our people. We have repeatedly warned that these operations present Israel with a pretext to escalate its aggression against our people and provide it with weapons to be used politically and on the information level in its attempt to defame our national struggle and our aim of establishing our independent state.

In confronting the construction of the wall of racial discrimination, our people have

made a model for the courageous people's resistance which gained the support and sympathy of the world. It is a model that has to be consolidated in order to melt all the energies of our people in the melting pot of national struggle.

From here, I send an appeal to the government of Israel and say: It is enough. Let us give peace a chance. Let us return, forthwith, to the negotiating table, to implement the agreements and arrive at a final settlement. I say to our Israeli neighbors: the Palestinian people, who hold firmly to their right, hold firmly, as well, to peace. Let us immediately stop the flow of blood and destruction. Let us work together for a peace that provides security, stability and prosperity for our future generations and for the whole region.

From here, I appeal, as well, to the parties of the Quartet, to act in order to stop the Israeli aggression and occupation against our people and to begin the implementation of the Road Map in order to make available the appropriate climate for the immediate resumption of the peace negotiations in the region.

I would like here to point out the reports on the plans of the Israeli government to withdraw from the Gaza Strip. We see that Israel is practicing on the ground a comprehensive campaign of destruction that is in contradiction to its purported intents. Yet, we would like to confirm the readiness of the PNA to extend Palestinian national sovereignty, and to bear full responsibilities on any piece of land from which the Israeli occupation withdraws.

We believe that any withdrawal from the Gaza Strip has to be parallel to other withdrawals in the West Bank in a way that maintains the geographic contiguity and the demographic and political unity of the two wings of our homeland. This withdrawal should also be total and comprehensive in the Gaza Strip and be a part of the implementation of the Road Map, so as to realize the withdrawal from all the Palestinian Territory occupied in 1967 and to establish the state of Palestine to the side of Israel.

Let us move to talk about the other part of the National Working Program which our people and institutions have taken upon themselves to realize since the establishment of the PNA, ten years ago. We would say that the target was, and still is, to put the appropriate structure for building a state that can provide a progressive model that befits the capabilities of our people and their abilities, aspirations, hopes and sacrifices.

Our target was, and still is, to realize the dreams that we were building upon, when we were in the diaspora and in the homeland, during the years of revolution and national resistance to occupation. It is the dream of resurrecting Palestine into a state that can take pride in its progress, the creativity of its people, and its democracy so as to be a minerate that makes sure that our people and Arab Nation will continue their civilizational contributions in the march of the region and the whole world.

This task was intervening with and affecting the first i.e the previous, task. The policies of the Israeli occupation, the siege and destruction reflected negatively, and in a destructive manner, on all our efforts. Despite the hindrances, obstacles and pre-conditions, we started, upon the establishment of the PNA, from zero a comprehensive process of construction of a homeland ravaged by the occupation into waste, destruction, confiscation and building of colonial settlements and with all kinds of racism.

Over the last years, we started construction, and we started to remove the rubble. We started re-construction. The achievements made on the level of building schools and developing education; and on the health level in terms of building new hospitals, developing the old ones, modernizing their equipment and opening dozens of new clinics in the various regions; and on the level of infrastructure in terms of opening and asphaltting roads, building networks of water and waste water, the housing projects, and the industrial zones are examples on the capability of our people and institutions and the work they have achieved.

We adopted the open-doors-policy vis-à-vis the role of the private sector. We used to start from the point where the others ended. This has strengthened the role of the private sector, the greatest generator of our economy. The private sector is the basic partner in the largest economic sectors such as communications and electricity. It is the one that put the nucleus for the big projects such as the Gaza sea-port and air-port, which started to function, as you might remember, years ago. We provided all the conditions for the development and growth of the national industries. We witnessed great leaps in the sectors of construction and tourism especially during our celebrations in Bethlehem in 2000 of the birth of our Lord, Jesus Christ, peace upon him. Our economy made new indexes of growth. Many of these achievements have become, since many years, targets for Israeli cannons and Israeli air planes rockets, thus inflicting upon most of them total destruction. _

The chain of Israeli aggressions targeted the destruction of the PNA by laying siege to and by destroying the headquarters. The re-occupation of the West Bank and the continued incursions into the Gaza Strip have generated a security vacuum in many areas as a result of forbidding our forces and apparatus from carrying out their duties and as a result of the havoc caused to these forces and apparatus by destroying their headquarters, facilities and vehicles. This vacuum that the occupiers wanted to create in order to implement their schemes, contributed to the creation of a state of security chaos which jeopardized the security of the Palestinian citizen, as well as to the absence of the rule of law.

The big and fundamental responsibility that the occupation bears for creating this situation, should not make us forget to do what is possible and available in order to put an end to this situation and to stop any transgressions that affect the citizen and the institutions. All lawless practices have to stop because they give the Israeli government the pretext to expand the scope of its aggression and to cause more harm and destruction to the property of the Palestinian citizens. All have to abide by the national decision and by the highest national interest, as defined by the bodies and institutions of the PLO and the PNA.

When we point out to the achievements made during the march of the PNA; when we underline the obstructionist and destructive role played by the Israeli occupation; when we point out the mistakes that usually accompany the initial phases and the beginnings of construction; we have to talk frankly to our people and have to be faithful with ourselves when we point out to the sources of mistakes and shortcomings in our performance especially in the wake of the programmed Israeli occupation, building colonial settlements and destruction, including sequestering revenues from our taxes for more than 40 months. Despite all of that we have to hurry to rectify, straighten out and correct these failings and shortcomings. Yes, these were wrong and detested practices made by some institutions. Some people have misused their positions and were unfaithful in their jobs. The process of building up the institutions was not followed up as should be. Not enough effort was exerted into furthering the rule of law and the activation of the judicial system and into consecrating the principle of accountability. We started now to deal with all these shortcomings.

You remember that I talked to you in June 2002 when we launched our programme

of reforms as a Palestinian national task originating out of the needs of our people. In your august PLC, you adopted a detailed document detailing the aspired reforms for which the consecutive governments worked and implemented many of its points. When we review the steps made over the last two years, we are content to mention the testimonies of the World Bank, the International Monetary Fund (IMF) and the Donor Community. All of them praised the achievements on the financial reform. They considered the administration of finance and the management of the budget and public funds in our country to be among the best in the region. These steps, make us proud in our transparency and the efficiency in the management of public funds in our country.

Here, I would like to point out to the magnificent work done, on the education, in the schools and universities of which we can pride ourselves in the whole region, as well as in other fields despite our difficult circumstances and the challenges that we face, especially from this racist and oppressive occupation.

On another level, the creation of the post of prime minister, to form the government last year, was a sign of the natural growth of our nascent democratic system that is targeted and under siege. It is a sign that underlines the separation of powers and strengthens the dynamism of institutional action.

Yet, what has been achieved is not enough. Ahead of us there is a lot of work to do. Therefore, I would like, officially, to call upon you to launch together today a workshop for comprehensive reforms, a workshop that engulfs all aspects of work of our Authority, a workshop that seeks, through a thorough programme of action, to achieve all that can be achieved under continued occupation, siege and aggression.

The comprehensive work of reform is based on the following three axes:

First: On the political level

During the march of the Palestinian revolution in the diaspora we raised the slogan of “democracy in the jungle of guns.” We built representative institutions, in which the Palestinian national decision-making was made with the participation of all factions and currents under the umbrella of the PLO. When we established the PNA, we were not content with revolutionary legality, given to us by the institutions of

the PLO. We were determined to achieve popular legality by going to the election boxes in order to consecrate the principles of elections, democracy and the alteration of authority. We are proud of that.

Over the territory of our national homeland, as we are building our national entity, we have to renew our political system on the basis of democracy that ensures political pluralism in all our Palestinian organizations, freedom of expression and freedom of political activity within the bounds of law.

This makes it essential for us to legislate some necessary laws in this regard, and to monitor the performance in order to ensure democratic development in our country. The pillar in all this is to consecrate the principle of elections. The PNA has acted to provide the requirements for holding the presidential, legislative and local elections (which were supposed to take place on 20 January 2003. They were supposed to have taken place already in 1999. It is very clear that the Israeli occupation wants, by its incursions, aggressions and penetrations, to put obstacles in the face of carrying out these elections.

All this should not frustrate our determination. On the contrary, we have to continue doing what should be done to hold these elections on all the presidential, legislative, administrative and organizational levels. We have to increase our contacts with the effective international parties so as to force Israel, to make space for our people to make their say as was done in the previous elections. We have to start with the local elections whose requirements have been made. All federations, societies and civil unions should activate themselves and hold their elections. Do not persecute the Palestinian woman. Don't give here a quota. Give women their rights. Women form 54% of the population. Women have to be well placed in all our institutions.

We are struggling to hold elections on all levels in order to deepen democratic practices and to open the space for our people to raise their voice, to elect their representatives, to give their vote of confidence to the programs they support and to open the doors wide for the young generations to seize the opportunity to serve our people.

In this regard, I appeal to all forces, factions and currents, to engage themselves in this process. The doors are open for them for political, popular and organizational work without any conditions except those put by law, and made within the framework

of the oneness of authority and of respecting the PNA and its commitments and out of the concern to formulate a national consensus that protects the highest national interests of our people as defined by the institutions of the PLO and the PNA. As all know, we have made a good start with all the national forces and factions and with those in the diaspora. We have all to be careful not to provide the Israelis with any pretexts to continue their aggression. We have to care to present a positive human image of our peoples' struggle and resistance to achieve their rights. In this regard we have to effectively continue this march with all the Palestinian factions in order to strengthen national unity to face the challenges. We thank all the Arab efforts that are with us in this field.

Second: On the level of security and the rule of law

We all understand that it is impossible to realize total security in the wake of the ongoing Israeli occupation and aggression, especially that the Israelis continue to put obstacles of various forms and shapes to forbid us to achieve that security. This, however, should not deter us from exerting our energies and efforts to provide our people with the highest level of security.

The national security council and the council of ministers adopted recently a security plan that started to establish these security apparatus, especially in the police force. We are seeking to provide them with all the requirements for success. We have made some contacts in this regard under the auspices of the Quartet. The Minister of the Interior has made a series of transfers and appointments in the leadership of the police force. I call upon you to legislate all the necessary laws to ensure an effective and a disciplined performance in the work of the security apparatus, so that these can carry out their role in reinstating the prestige of the PNA, in implementing the law and in protecting the security of the citizen from all parties.

The decision to unify the security apparatus, their reorganization and retraining aims at preparing them to carry out their duties in putting an end to the security chaos and in providing security to the citizens in their daily life. We have all to move together to correct and rectify any wrong doing. There can be no overlooking in matters that jeopardize the security of the citizen and his basic rights, or in the exploitation of position. There will be no leniency with breaking the law, or with

threatening the security of citizens or with any attack at their property or at state property and with all armed manifestations and other practices that break the law. In this regard, all recommendations made by the Legislative Council should be taken into consideration. In this respect also, we have always to concentrate on strengthening the rule of law. It is the fundamental pillar for work in this regard.

Over the last two years, we have made steps to reform the judicial apparatus and the courts with the aim of strengthening their independence and capabilities. Ahead of us lie many steps to be taken that need to be consolidated and carried out so as to make the citizen feel the existence of a security umbrella provided by law that is applicable to all, starting with the President of the PNA and down to any citizen. No one is above the law which should be carried out and protected by our security apparatus only. Dear brother Abu Ala'a, I assure you of my total support, and that of our people and of all of our official institutions, for the work of your government in this regard.

Third: On the level of Administrative and Financial Reform

The achievements made on this level, over the last years, provide a firm base to achieve more in order to realize the highest degrees of transparency, control and accountability as well as the reevaluation of the cadres in our ministries and institutions with the aim of development and the achievement of the principle of equal opportunities and justice.

In this regard, I urge your esteemed Council, to complete all the laws necessary for financial and administrative control, unlawful profit-making, retirement law and any other laws that, you feel, will provide legal frameworks necessary in that regard. I assure you of total cooperation with your Council. Any one who wants to hold me accountable and discuss this on a bilateral level, or in a commission or in such a meeting like this will find me ready for that.

I would like, as well, to reaffirm the necessity to follow up any issues pertaining to administrative or financial practices of wrong doing. These should be immediately transferred to the attorney – general as he is directed to follow up. We will not be forgiving or lenient in this regard.

When we talk about this basket of reform we are not making any favors to our people.

Providing them with security, strengthening the rule of law, sound performance in the management of public funds are rights to be fulfilled. We do not make any favors. These are dues to be paid and commitments to be carried out, because we were elected to achieve them. The consecutive governments won your and our peoples vote of confidence on the basis of programs prepared for their implementation.

While we call for the launching of a workshop for comprehensive reform, we have to strengthen cooperation among our institutions. I reaffirm here, and once more, my confidence and total support for the work of the government in all fields. I convey, as well, greetings and appreciation of your efforts at the PLC, and for your monitoring and control and legislative roles which we consider a corner stone in our political life, experience and democracy.

January 9 was set up to hold presidential elections. Farouk Kaddoumi assumed heading FATAH through the movement's Central Committee. The race for the presidency of the PA was open starting from November 20, 2004.

FATAH's Central Committee took a consensus decision on November 22 to nominate Mahmoud Abbas as its presidential candidate. The nomination was endorsed, a few days later, by the movement's revolutionary council as well as its military wing Al Aksa brigades. Abu Mazen submitted his candidacy as the sole nominee from FATAH on December 1. The Central Elections Committee (CEC) announced that there will be 1063 polling centers, with 58 in Jerusalem, 736 in the West Bank and 299 in the Gaza Strip. The preliminary list of candidates to the presidency was announced on December 2 with ten of the 12 candidates that sought nomination. The campaign period started on December 25 and was to end in the evening of January 8, 2005 with seven candidates remaining in the race. Following the withdrawal of Abdel Sattar Qasem, Hasan Khreisheh and Mustafa Astal, they were: Mahmoud Abbas, Mustafa Barghouthi, Bassam Salhi, Taysir Khaled, Sayed Baraka, Abdel Karim Shbeir and Abdel Halim Ashqar. The latter resides in the US and is under home detention. A number of remarks could be registered over the course of the elections until December 31, 2005. These include:

1) The position of detained PLC member Marwan Barghouthi was perplexing. He started by calling for the support of FATAH candidate Mahmoud Abbas following the visit in his prison of State Minister Qaddura Faris on the 26th of November. However, Barghouthi retracted his position on December 2 declaring that he will be running as a presidential candidate. This came as a shocking surprise evoking a wide range of reactions that reverberated in certain Arab capitals. The issue at stake had to do with the unity of FATAH as a movement and Marwan's political future. The justification was announced by his wife following a visit to the prison. It had to do with hundreds of letters that the incarcerated leader received from FATAH's grassroots. They urged him to run as a step to protect the national project and uphold the principles of resistance and keeping up Arafat's heritage. Questions arose as to whether Marwan had new information that the national project is undermined. If so, then how did this occur within a few days from his pledge to support the FATAH nominee? Reactions were vociferous with some calling for his dismissal from FATAH, although he was supposed to run as an independent. Finally, he ended up withdrawing from the race, ten days later, to the favor of Abbas. Some commented that Marwan's behavior had to do with the pressure he is facing under detention.

It may be assumed that the lack of primary elections within FATAH creates gaps in the election of candidates. FATAH's choice was a result of a decision taken within the official framework. Marwan's forward and backward steps may reflect that there are two lines within the movement: The old guard and the new guard.

2) Certain external interventions worked in favor of Abu Mazen. This included his meeting with Tony Blair, with US pledges to provide economic aid and other forms of international support. In fact, he was an actual president in his moves through Arab countries and the internal decisions.

3) Israel's blatant intervention and discrimination among candidates. The CEC announced that three candidates (Abdel Halim Ashqar, Sayed Baraka and Abdel Karim Shbeir) were denied the right to move. Furthermore, only two escorts were permitted for each candidate out of 35. In fact, each candidate should be entitled to move with a team of five persons. Additional impediments were posed in holding meetings and public rallies in Jerusalem. The required police permits for such activities were not forthcoming. The dismal voter turnout in Jerusalem with only 5326 casting votes in limited post offices was also a problem. Israeli "magnanimity"

in facilitating the presidential elections was confined to 72 hours only and was hardly forthcoming.

4) Violations occurred during election campaigns, including encroachment on public buildings and unwarranted thrifty expenses of posters, ads, etc.

5) Observers differed as to the number of candidates. Some considered that the more the merrier it would be. However, the redundancy of the unachievable slogans was noticed. Candidates knew beforehand that they stand no chance to beat the FATAH candidate. Conversely, having only two other candidates representing factions (PDFLP and People's Party) indicates the frailty of party activity in Palestine. Probably a historic opportunity was lost to come up with a credible secular democratic candidate with broad support. HAMAS and Jihad had decided to fully boycott the presidential elections.

6) The resignation of Ali Jarbawi, Secretary of the CEC on October 19 following the completion of the voter lists raised certain questions.

There were clear indications that the FATAH candidate is likely to sweep the elections. With Mahmoud Abbas as president, there would be an upbeat mood to improve living conditions. Hopefully, the level of unemployment would be reduced and military measures eased off with an increase in salaries; or would such hopes be dashed away with the enormous difficulties ahead? On another hand, some were apprehensive of what could be looming in the horizon in terms of the political settlement or security control. Particularly, the likely president's declarations for the need to demilitarize the Intifada and collect weapons were causing concern. Such kind of declarations had resulted in widespread alarm during the previous Prime Minister's term leading to his resignation and staying home. The situation was aggravated with Sharon's notorious NOs in Herzliya where he confirmed being in agreement with President Bush to lower the level of Palestinian expectations in the forthcoming talks. The stake was for the FATAH candidate to convince Palestinian opposition forces to cool down in light of the wide imbalance in power. Of more importance is would Mahmoud Abbas manage to maneuver internally like his predecessor without losing support, and would he manage to move on regardless of accusations leveled to him?

Strengths

- Destiny managed to bring to an end the remarkable resilience of the late President, who did not succumb to Israeli pressure in his firm faith in the cause of his people.
- The late President had laid the basic reform steps that resulted in a smooth transition of power.
- The new President has to deal with a formidable set of problems. Democratic elections herald a better future.
- The late President managed to place the Palestinian cause as a top international priority. That should remain the case until achieving Palestinian aspirations.
- The election of Mahmoud Abbas offers an opportunity that should be taken, before it is too late.

Weaknesses

- Reform steps within the security establishments were insufficient. As a result, there was a decline in public order. Recurring Israeli incursions into the Palestinian areas contributed to that. However, certain steps could have been taken to deal with the matter.
- There is a clear deficiency in devising a media strategy to expose the state terror practiced by the Sharon government.
- Arafat's death is a mysterious enigma. Regardless of the seriousness of the investigations, the prevailing indications are that he was subject to poisoning.

Letter of President Bush to the Israel Prime Minister

April 14, 2004

The United States remains hopeful and determined to find a way forward toward a resolution of the Israeli-Palestinian dispute. I remain committed to my June 24, 2002 vision of two states living side by side in peace and security as the key to peace, and to the roadmap as the route to get there.

We welcome the disengagement plan you have prepared, under which Israel would withdraw certain military installations and all settlements from Gaza, and withdraw certain military installations and settlements in the West Bank. These steps described in the plan will mark real progress toward realizing my June 24, 2002 vision, and make a real contribution towards peace.

We also understand that, in this context, Israel believes it is important to bring new opportunities to the Negev and the Galilee. We are hopeful that steps pursuant to this plan, consistent with my vision, will remind all states and parties of their own obligations under the roadmap.

The United States appreciates the risks such an undertaking represents. I therefore want to reassure you on several points.

First, the United States remains committed to my vision and to its implementation as described in the roadmap. The United States will do its utmost to prevent any attempt by anyone to impose any other plan. Under the roadmap, Palestinians must undertake an immediate cessation of armed activity and all acts of violence against Israelis anywhere, and all official Palestinian institutions must end incitement against Israel. The Palestinian leadership must act decisively against terror, including sustained, targeted, and effective operations to stop terrorism and dismantle terrorist capabilities and infrastructure. Palestinians must undertake a comprehensive and fundamental political reform that includes a strong parliamentary democracy and an empowered prime minister.

Second, there will be no security for Israelis or Palestinians until they and all states, in the region and beyond, join together to fight terrorism and dismantle terrorist organizations. The United States reiterates its steadfast commitment to Israel's

security, including secure, defensible borders, and to preserve and strengthen Israel's capability to deter and defend itself, by itself, against any threat or possible combination of threats.

Third, Israel will retain its right to defend itself against terrorism, including to take actions against terrorist organizations. The United States will lead efforts, working together with Jordan, Egypt, and others in the international community, to build the capacity and will of Palestinian institutions to fight terrorism, dismantle terrorist organizations, and prevent the areas from which Israel has withdrawn from posing a threat that would have to be addressed by any other means.

The United States understands that after Israel withdraws from Gaza and/or parts of the West Bank, and pending agreements on other arrangements, existing arrangements regarding control of airspace, territorial waters, and land passages of the West Bank and Gaza will continue.

The United States is strongly committed to Israel's security and well-being as a Jewish state. It seems clear that an agreed, just, fair and realistic framework for a solution to the Palestinian refugee issue as part of any final status agreement will need to be found through the establishment of a Palestinian state, and the settling of Palestinian refugees there, rather than in Israel.

As part of a final peace settlement, Israel must have secure and recognized borders, which should emerge from negotiations between the parties in accordance with UNSC Resolutions 242 and 338.

In light of new realities on the ground, including already existing major Israeli populations centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949, and all previous efforts to negotiate a two-state solution have reached the same conclusion. It is realistic to expect that any final status agreement will only be achieved on the basis of mutually agreed changes that reflect these realities.

I know that, as you state in your letter, you are aware that certain responsibilities face the State of Israel.

Among these, your government has stated that the barrier being erected by Israel should be a security rather than political barrier, should be temporary rather than

permanent, and therefore not prejudice any final status issues including final borders, and its route should take into account, consistent with security needs, its impact on Palestinians not engaged in terrorist activities.

As you know, the United States supports the establishment of a Palestinian state that is viable, contiguous, sovereign, and independent, so that the Palestinian people can build their own future in accordance with my vision set forth in June 2002 and with the path set forth in the roadmap.

The United States will join with others in the international community to foster the development of democratic political institutions and new leadership committed to those institutions, the reconstruction of civic institutions, the growth of a free and prosperous economy, and the building of capable security institutions dedicated to maintaining law and order and dismantling terrorist organizations.

A peace settlement negotiated between Israelis and Palestinians would be a great boon not only to those peoples but to the peoples of the entire region. Accordingly, the United States believes that all states in the region have special responsibilities: to support the building of the institutions of a Palestinian state; to fight terrorism, and cut off all forms of assistance to individuals and groups engaged in terrorism; and to begin now to move toward more normal relations with the State of Israel. These actions would be true contributions to building peace in the region.

Mr. Prime Minister, you have described a bold and historic initiative that can make an important contribution to peace. I commend your efforts and your courageous decision which I support.

As a close friend and ally, the United States intends to work closely with you to help make it a success.

1.1.2. The Government

The Palestinian government headed by Ahmad Qurei' continued to function under extremely harsh conditions. The stalemate in the peace process was accompanied by a decline in the internal conditions. Politically, the government simply announced rejection of ideas related to temporary borders and condemned the resumption of extra-judicial assassinations when the Israeli Chief of Staff Moshe Yaalon stated that the HAMAS Founder is on the hit list. Simultaneously, the US urged Qurei' to take action to halt all operations against Israel.

The Prime Minister condemned what he described as irresponsible Israeli threats against President Arafat; considering it an open license for assassination and a delegitimization of the Palestinian leadership. He warned that this is bound to cause havoc in the field. The Cabinet announced an apprehension over the guarantees offered to the Israeli Premier by the US Administration. It even implied, on April 21, that a collective resignation of the government is being considered in response to the change in American policy. Although the Director General of the Prime Ministry denied that the resignation was actually submitted, he emphasized that all options are open.

All of this gives an idea of the considerations within the Palestinian official circles on how to respond to the American step. The possibility of the Cabinet resignation or canceling the post of Prime Minister, which was introduced as a result of external pressure, is considered part of the Palestinian commitment to reform in line with the Road Map.

On the political front, the Cabinet sought to achieve a breakthrough based on a "political project" comprised of several points. This included a reciprocal ceasefire, full Israeli withdrawal from Gaza and part of the West Bank settlements, launching serious negotiations to implement the Road Map with talks regarding the final status issues. The package included facilitating holding elections at various levels and providing economic means for reconstruction and reviving the Palestinian economy. The parties sponsoring the peace process, including the UN and the Quartet were summoned to act promptly following Israel's blatant disregard of International law when it broke into Palestinian banks on February 25. Such an action was perceived as an attempt to undermine the PA and the Palestinian banking system. The raid

resulted in the theft of 9 million dollars from three banks in Ramallah and Al Bireh. In a Mafia style, Mofaz issued an order to use the stolen money to improve roadblocks and crossing points while an Israeli court issued a ruling that the money should be used to compensate an Israeli family for damages caused by the Intifada.

Prime Minister Qurei' admitted the failure of his government, as a whole, in dealing with the eruption of clashes in Gaza and the West Bank. The PA stood by in a helpless manner. Obviously, it lacked the means to handle matters to deter chaos and impose the rule of law. The incidents included cases of kidnapping and armed confrontations among various groups in both the West Bank and Gaza Strip. Following Israel's aggression on the Gaza Strip, there was little that the government could do other than declaring Beit Hanoun a disaster area.

As such, the government submitted its resignation to Arafat on July 17. For some, it was a scapegoat for failure to maintain public order since it did not exercise the authority stipulated in the Basic Law. However, it should be noted that, since the outset, it was supposed to be a government to merely carry out daily tasks. Instead, it functioned as a normal government. With Arafat's rejection of the resignation, the Cabinet proceeded to function. However, on August 4, Nabil Kassis the Minister of Planning and Nahed Rayyes the Minister of Justice submitted their resignation¹⁵.

In short, the government was weakened and in a pathetic shape. Placing civil defense, police and preventive security forces under its aegis did not help. Its inability to protect people from Israeli attacks made it vulnerable. There were even problems in providing urgent assistance to victims in terms of food or medicine. As a result, a number of ministers trying to visit Gaza were heckled and kicked out. However, with the limited means available to the government, its performance and particularly of the Prime Minister was shrewd, given the circumstances. The atmosphere was far less charged than the preceding Mahmoud Abbas government.

Meanwhile, the focus was on reform issues. This was a result of objective reasons but, particularly, due to external elements. It was not possible anymore to keep rotating around crises without resolving issues. As such, the Council of Ministers approved structural and administrative measures to a number of ministries and official bodies. It also endorsed the recommendations of the Technical Committee

¹⁵Public opinion polls indicated that Qurei' had 45% and 61% support in Najah University survey on Jan. 20 and March 21. The figure declined to 28% on July 20 while the Center for Policy Research and Surveys on Sept. 30 put it at 33%.

related to the Reform Plan. The Public Information sector was also included in the Plan. A decision was taken to place the Personnel Department, the Monetary Authority, the Environment, Water and Energy Authority under the aegis of the Council of Ministers. A ministerial committee was formed to prepare the Cabinet's annual report to be presented to the PLC. On February 14, a decision was taken to pay all security establishment salaries through banks. It was also decided to proceed with moves and alterations at the level of top officials within the security apparatus in coordination with President Arafat.

The Council of Ministers also approved a number of the recommendations mentioned in the "Ministerial Reform Committee" within the framework of work progress in various ministries. Another plan was approved to restructure the National Economy Ministry with the merger of the Ministry of Commerce/Economy with the ministries of Industry and Supplies under a single Ministry. The National Institute for Administration was inaugurated to train PA personnel in various areas of management, planning, accounting as well as administrative and financial control.

The Council of Ministers addressed other issues of concern to the public. A ministerial committee was formed to review the issue of the teachers that declared holding a warning strike. An employment body was announced to cope with unemployment in the Jerusalem area within the PA's job creation project through the Ministry of Labor. The mission statement and the structure of the Women Affairs Ministry was also approved. Mystery shrouded reports concerning the implication of senior Palestinian officials, or their kinsmen, in procuring Egyptian cement to construct settlements and the Apartheid wall. Ground rules of the Council's affairs unit within each ministry were set up. Water, electricity and other public service fee-collection procedures were improved through direct deduction from salaries of public functionaries.

A special committee was formed to follow up the issue of Al Aqsa Brigades. The task was to provide adequate protection and integrate them within FATAH institutions while securing their social and economic needs. Due to resentment from brigade members and the continued Israeli measures of tracking them up, the committee failed in its mission¹⁶. The Council of Ministers attempted to return the remains of hundreds of Palestinian martyrs that are held by Israel in response to the remains

¹⁶Public opinion polls revealed that 64% of the Palestinian public support armed attacks as a way to achieve rights and 49% wanted them continued, Center for Policy Research and Survey. Dec. 12, 2004.

of the six Israeli soldiers killed on May 11 after their carrier was blown up. While the Israelis recuperated their remains following a prompt Egyptian intervention, the Palestinians are still awaiting the delivery of the captured remains. Finally, the Council of Ministers was quite active regarding legislation bills and pursuing various phases of passing laws through the PLC.

Table No. 1
Palestinian Population for the Year 2004¹⁷
(Estimated in million)

Region	Number	Percentage
West Bank (Including East Jerusalem)	3,805,000	38.7
Israeli region	1,099,882	11.1
Jordan	2,878,806	29.2
Syria	488,150	4.5
Lebanon	427,102	4.3
Egypt	6,312	0.4
Saudi Arabia	318,559	3.2
Other Gulf Countries	127,832	1.5
Libya and Iraq	118,892	1.1
Other Arab Countries	5,683	0.4
United States	243,211	2.5
Other Foreign Countries	309,705	3.1
Total	9,830,343	100

¹⁷Information based the Palestinian Central Bureau of Statistics regarding.

Strengths

- It is noteworthy that the government functioned in an orderly manner and had a smooth transition following the departure of President Arafat.
- The government managed to properly organize the first phase of the local council elections, as well as the presidential elections.

Weaknesses

- The role of the government was dismal in dealing with the political situation or handling Israeli brutal measures.
- It was helpless in dealing with public order and chaos spreading around.
- The government did not, or was unready, to expose any case of mismanagement or administrative and financial corruption.

Activities of the various ministries

First: Health and Public Safety

Following Israeli attacks on hospitals, health facilities, ambulance vehicles and medical teams, a serious deterioration occurred in the field of health. Scores of victims fell dead and were injured seriously; overburdening health services that have a long way to go to meet basic needs. In fact, 33% of the Palestinian public in the West Bank and Gaza Strip have no health insurance plan.¹⁸

Not only have occupation forces directly targeted health facilities, but they have also sought to slander it in order to justify the inhuman practices against it. For instance, there was an attempt to accuse UNRWA of using ambulance vehicles to conduct military operations. When such allegations were proved unfounded, certain Israeli papers warned that the issue could undermine the credibility of Israel¹⁹.

The Ministry of Health announced that 963 martyrs, of whom 311 were minors below 18 years old, fell in the fourth year of Al Aqsa Intifada. In contrast, 117 Israelis were killed during the same period, of whom 55 lost their lives as a result of 15 suicide operations. Half of the Israeli victims are soldiers or settlers. A specialized medical committee was formed to investigate the recent attacks in Gaza where internationally forbidden forms of bullets were used. On the other hand, special contract staff suspended their strike on October 30 after receiving promises that their grievances will be addressed with payment of salaries and being officially placed on the Ministry's pay roll.

Onslaught and Incursions

There was a drastic rise in premeditated onslaught and incursions by the occupation forces during 2004. What is clear is the increasing number of civilian victims following the decision of Israel's kitchen cabinet on March 16. The recommendations of Defense Minister Shaul Mofaz were endorsed in that session calling for an "intensification of field military operations." The ministers were asked not to reveal

¹⁸PCBS, Health Services Survey 2004.

¹⁹Haaretz, June 10.

what that meant exactly. However, it did not take much time to clarify the picture in the ensuing period. Actually, on the day the decision was taken a tight siege was imposed on all entrances to the Gaza Strip. Reinforcements, including hundreds of tanks were dispatched. Massive destruction occurred in the Zeitoun neighborhood with the turning of Al Aqsa University buildings into rubble. The operation was combined with air raids causing the killing and wounding of scores of people.

The Israeli military has a tradition of coming up with symbolic titles to its operations. Ranging from vengeful punitive terms such as “Repentance” and “Days of Sorrow” into defensive terms like “The Defensive Shield”, various locations were targeted causing havoc. In Rafah, the neighborhoods of Al Salam (peace) and Tel Sultan, Brazil, Bloc5 and the zoo were heavily pounded (the surviving animals escaped from the zoo that became a rubble). The destruction was not confined to homes and roads but included health clinics, sewage installations as well as mosques.

On March 7 an Israeli army spokesman declared that the operation conducted in a Gaza camp targeted terrorist infrastructure and wanted elements. In actuality, what occurred was the murder of four children aged 11 to 16 and the injury of 80 civilians, of whom five were in a serious condition, in addition to the killing of another 11 allegedly armed Palestinians. Resorting to such a policy reflects the bankruptcy of the political/security setup that does not take into consideration the long-range effects of imposing horror on civilians²⁰. Army officers who are keen to demonstrate Israeli deterrence power are not willing to admit that for 37 years all they were doing is enforce an occupation that provides cover for the theft of land in favor of settlements²¹.

Following a TV report showing an aged Palestinian woman searching for her medicine amidst the rubble of her house demolished by the occupation forces in Rafah camp, the Israeli Justice Minister, Tommy Lapid, was shocked and compared the incident to his own family’s ordeal under Nazi rule. On July 23, he called for an immediate cessation of the demolitions. The Israeli media, on the one hand, complained of comparing Israeli army action with the Nazis. On the other, it pinpointed the hypocrisy of Lapid who bears direct responsibility in his capacity as Justice Minister within the government that decided and is in the process of

²⁰ Haaretz editorial, March 9, 2004.

²¹ Ibid.

implementing such operations²². Another right-wing commentator Ben Dror expressed shame for perpetrating acts that have nothing to do with security and the injury of so many innocent civilians in the Rafah onslaught²³. The operation resulted in the full demolition of 277 houses and the eviction of 641 families having 1345 members, turning them into homeless.

Mahmoud Abbas, in his capacity as Secretary of the PLO Executive Committee described the destructive incursions into Rafah as a hideous war crime and the culmination of organized state terror which contravenes with all international conventions (May 17, 2004).

Since the year 2000, Israeli forces have demolished 1476 houses in Rafah evicting 14,666 persons²⁴. An Israeli military spokesperson admitted that 148 unarmed Palestinians were killed in 2004 by Israeli gunfire (August 12). On December 30, Sharon declared to his senior commanders that there are no strings attached to whatever military actions that they deem necessary.

The Israeli army has perpetrated horrible actions that clearly fit within the category of war crimes during the incursion into Rafah between May 18 and 25 when 42 Palestinians were murdered²⁵.

During 2003, 970 Palestinians lost their lives. Among them were 172 children, 36 women, 112 in extra-judicial killings and 16 at roadblocks. There were an additional 5965 wounded, of whom 30% were children²⁶. Most casualties were a result of intensive shelling through air strikes.

Needless to say, such attacks evoked reprisals that were at times bloody, resulting in civilian casualties that the occupation sought to utilize as a justification for further attacks. Palestinian operations were fatal such as the killing of ten Israelis on January 29 and eight others on February 22. Another ten were murdered in Ashdod port on March 14 and 16 in Beer Sheva and another 3 in Tel Aviv on January 11.

The operations targeting the military included blowing up a tank in Rafah with five

²² Gideon Levi, Haaretz, May 30.

²³ Ben Dror, Maariv, May 28.

²⁴ UNRWA statistics covering the period between 18 and 24 May reveal the demolition of 167 houses involving 379 families and 2066 members.

²⁵ International League of Human Rights, Oct. 13.

²⁶ Palestinian Human Rights Information Center and the General Information Bureau. Dec. 30, 2004.

soldiers slain on February 12 and another five with the torching of another tank in Gaza's Zeitoun neighborhood on May 11. A total of 117 Israelis were killed as a result of Palestinian operations.

Table (2): Main Israeli Mascaras against Palestinians during 2004

Location	Date	No. of Victims	Main Losses
Rafah	26/2/2004	6	20 Houses Demolished
Buraij and Nuserat	7/3/2004	15	Mostly Civilians
Zaitoun- Gaza	11/5/2004	15	Comprehensive demolishing of houses
Ein El-Sultan – Rafah	17-20/5/2004	65	576 Houses Demolished
Ahmad Yassin Assassination	22/3/2004	8	
Rantissi Assassination	17/4/2004	3	
Gaza Stadium	6/9/2004	15	Air Raid
Jabalia Camp	30/9/2004	32	Infrastructure Destruction
North Gaza	1-18/10/2004	77	Infrastructure Destruction
Gaza	12/5/2004	27	Infrastructure Destruction
Student Demonstration – Rafah	19/5/2005	14	Artillery against civil demonstration

Table (3): Palestinians victims during 2004

	West Bank	Gaza	Total
Total	254	709	936
Females	90	3	93
Children	33	139	172
Wounded	3329	2635	5964

**Table No.(4/a):
Palestinian victims resulted from the Israeli attacks from
29/9/2000 – 31/12/2004²⁷**

Year	West Bank	Gaza	Total
2000	191	127	318
2001	342	249	591
2002	751	497	1248
2003	263	393	656
2004	254	709	963
Total Victims	1801	1675	3776
Total Injuries	12588	11981	24569

**Table No. (4/b):
Victims by Targeted Groups**

Victims	Number
Embryo	36
Children	714
Women	253
Assassinations	320
Self- Scarify	162
Shelling & Clashes	732
Settlers attacks	43
Total	2260

²⁷General Information Agency

**Table No. (4/c):
Victims by Nationality**

Nationality	No.
Palestinians	3919
Arab Israel	17
Egyptians	2
Lebanese	2
Americans	1
British	2
Total	3943

Extra-Judicial Executions

The policy of extra-judicial assassinations of Palestinian activists is a main feature of state terrorism as practiced by Israel. This is in stark violation of law without taking into account the fall of innocent victims as a result of aerial shelling or demolishing houses over occupants. Contravening all covenants, the Israeli kitchen cabinet approved such killings on March 7, 2001. As a result, 425 Palestinians were executed between September 28, 2001 and May 15, 2004 (236 in the West Bank and 189 in Gaza Strip). Of this total, 278 were targeted while 40 were children and 107 were bystanders who were on the scene of the attacks²⁸.

As for the means of the killings, 54% were murdered by direct sniping, 36% through aerial shelling, 10% by explosives. Others died with the demolishing of houses over their heads or through bulldozers razing the house; killing three persons (the couple and the husband's sister-in-law) as was the case in Rafah on May 14. Another incident on May 7 caused the killing of Muhammad Jawdat, a four-year old child, at a short range, with a machine gun as he was sitting in a car, on the lap of his grandfather.

²⁸Gaza Center for Rights, extra-judicial killings, May 2004.

On September 3, soldiers stationed in a school that was transformed to an army outpost killed eight children who were crossing the street with a shell. Dr. Khaled Musa Salah, a Najah University Electronic Engineering Professor (aged 52) was killed in front of his family at close range on July 6 after he opened the gate of his house that the soldiers were knocking at.

Another Nablus resident, Omar Hazem Jaber was waken up by soldiers on July 6 in Nablus and used as a human shield during a search of wanted elements. At the discovery of a wounded Palestinian, they asked him to drag him promising not to shoot. When he did that, they yelled at him to move away and they opened fire and killed the wounded Palestinian.

The Israeli Betsalem organization reported a case of extra-judicial executions reported by a pupil on his way to school. The kid was asked by the soldier if he was carrying any weapons. The answer was no. Then the soldiers started kicking the kid on his face and stomach. Other soldiers did the same to his colleagues, especially Mazen who had the barrel of a gun pointed to his forehead with a soldier declaring that he will die immediately. He counted to three and shot him²⁹.

On September 9, a French cameraman covering the funeral of a martyr captured the picture of an Israeli jeep that deliberately crushed the body of a 17-year old youth. His testimony revealed that the jeep hit the youth from the back causing his fall. Then the jeep retreated and moved forth to squash and kill the kid who was lying in pain. The cameraman stated that seeing the crushed body, he lost his balance and was about to faint and fall on the ground. However, he preferred to stay incognito since he is part of the International Solidarity campaign with the Palestinians. Hospital doctors confirmed that the head and right side of the head and brain were found around.

On October 13 a fifth grade child, Ghadeer Mkheimar, and her 10-year old colleague Raghda Attar were killed by sniper fire as they were in their Khan Younes classroom. Another child, Fatima Jallad, was killed on March 22 in Nuseirat camp as a result of “warning” shots of an Israeli soldier.

What is astounding in all such actions, which solidly fall within officially sanctioned

²⁹Betsalem, a week of torture and abuse, Jan. 5, 2004. Reports revealed scores of assaults, death threats and the use of live ammunition against civilians.

state terror violating all conventions including Israeli ground rules, is the conniving and silence of the International community, particularly the US. Would the world remain silent had it been any party other than Israel? Wouldn't the seventh article of the Security Council be evoked? In fact, International human rights organizations have repeatedly spoken out about such violations. Amnesty International did not mince words when it pointed out that such Israeli practices fall under the category of war crimes, particularly the extra-judicial murders as well as delaying medical assistance and targeting health teams.

The same applies to arbitrary and intensive house demolitions of civilians with torture leading to death³⁰ or using human shields that resulted in cases of death of innocents, not to forget the artillery and aerial shooting of a peaceful Rafah demonstration that caused the killing of 14 demonstrators³¹.

The persistence of proceeding with such crimes instigated the soldiers to further killings. For instance, Air Force Chief Eliezer Shkeidi who was involved in a number of aerial extra-judicial killings boasted that the four assassinated operations carried out in June and early July achieved the desired objectives. He assured on July 6 that assassinations shall continue. Dan Halutz, Deputy Chief of Staff and the Commander of the Air Force addressed his pilots that they "could have a good sleep after carrying out the job properly." He was referring to the killing of Salah Shehadeh that led to the murder of another 14 bystanders. The Army Command admitted that Shehadeh's assassination happened with full knowledge of the presence of children in the murder scene. Not only did Halutz boast about the horrible result, but added that he just felt a slight shake under the plane wing when the shell killing the civilians was fired.

Such declarations evoked certain unease within various Israeli circles. A number of air force pilots announced that they are unwilling to participate in operations that murder civilians. The Supreme Court gave Halutz one week to clarify his declarations (on November 18). In an unprecedented step, a number of Israeli soldiers spoke up on June 2 to expose the horrible army practices through a photo exhibit with recorded affidavits of what they have seen and done³².

³⁰Amnesty International – May 2004.

³¹Human Rights Watch reported that using heavy weapons to stop a peaceful march is not only a grave violation of International Law but also of Israeli laws (May 20, 2004). The attack resulted in the murder of 14 civilians.

Faced with a wave of criticism, the Israeli army conducted 950 investigations during the last four years to detect what would fall under the category of “violations.” An additional 92 files were opened by the MP to probe into shooting incidents in an uncondoned manner. As a result, there were only four cases that were brought to the court. Without exception, the soldiers were found not guilty and the blame was thrown on the investigator’s behavior.

Usually, such investigations reach a dead end due to the short span between the alleged incident and the court time. All what is needed is to keep the involved soldiers out of sight for a while. The whole setup is to devise an immunity system for soldiers among themselves. Part of the job of army investigators is to conceal traces of crimes and eliminate material evidence. For instance, there is no way to verify weaponry that fired intensively following an alleged abuse³³.

As a result, there are certain circles within and outside the Israeli army that are alarmed by the severe erosion of ethical and legal standards as a result of the ongoing confrontation. The issue does not have to do with isolated instances here and there. Rather, it involves scenes that caused hundreds of deaths, disfiguring bodies and deliberate unwarranted killings. With every scandal, the army comes up with a condemnation expressing sorrow. Following the murder of a 13-year old pupil, Iman Al Hams, who after being on the ground as a result of a shot received additional bullets to ensure her falling dead, Knesset Member Yassi Sarid declared on October 12 that the Israeli army has become ethically bankrupt.

Deliberate killing and trigger-happy targeting of civilians evoke questions as to the suicidal actions of certain Palestinians. The Israeli shelling from armored vehicles of, say, peacefully protesting children is considered an act of war and, at best, a mistake that goes with impunity. On the other hand, a Palestinian who blows him/her self up, even if in the midst of the occupation sources is regarded as a terrorist act.

The Israeli soldier leaves his tank after returning safely to the base while the Palestinian fighter must be liquidated. Why is the former considered a fighter and

³²“We were shooting as if it is video games.” Another said: “I threw a sound bomb amidst children to break boredom.” A third: “There was a wedding motorcade that we stopped and ordered the bride and groom out of the car. We enjoyed seeing them frightened. The Officer took the car keys and decided not to let them proceed. For him, they were not human beings.” Another witness stated: “I was ashamed from myself when I realized I was enjoying the feeling of power. It is like Nintendo games; everyone succumbs under your fingers. It’s a great feeling.”

³³Amir Rappoport, Maariv, Dec. 30, 2004.

the latter a terrorist? It is striking that the State Department Human Rights Report of February 2004 refers to Palestinian martyrs as terrorists while considering settlers, who forcefully control Palestinian lands as Israeli civilians. Doesn't targeting innocent civilians fall under terrorism? Commenting on the illegality of Israeli extra-judicial assassinations, Dutch Foreign Minister Bernard Pott declared on March 31, 2004 that "a state that considers itself democratic should refrain from performing such acts."

Clearly, Israel often gets away in providing excuses or justifications for its criminal acts against Palestinian civilians through getting (particularly) US, and (generally) Western support. However, this was not the case when the wheel-chaired Sheikh Ahmad Yasin was murdered by an already-targeted rocket after performing dawn prayers. The condemnation came from Canada, India, Portugal, the UK, Germany, Denmark, Switzerland, Poland, Turkey, South Africa, Italy, Norway, Russia and the Vatican, as well as the Chairman of the EU and the High Commissioner for Human Rights.

Table No. (5/a):

Total number of victims until 31/12/2004³⁴

Victims	3919
Children	714
Females	253
National Forces	344
Educators and Students	789
Medical Sets	36
Journalists	9
Injures	43857

³⁴General Information Agency

Table No. (5/b): Victims by Method

Category	Number of victims
Invasions	220
Raids	732
Assasinations	320
Barriers	122
Settlers	49

Table No. 6
No. Israelis casualties from Palestinian operations
During 29/9/2000 – 31/12/2004

	Inside the Green Line	Inside the occupied territories	Total
Civilians and Settlers	426	208	634
Including Children till the age of 18	76	36	112
Army	85	212	297
Total	587	556	1043

Table 7
No. of Hospital beds in Palestine for 2004³⁵

Responsible Party	Public Hospitals	Private Hospitals	Clinics and Health Centers	Maternity Hospitals
Ministry of Health	2166	558	-	-
Non-governmental Institutions	1168	152	135	154
Private	184	127	-	132
UNRWA	38	-	-	-
Total	3556	837	135	286

³⁵Source: The Palestinian Human Rights Monitoring Group- www.phrmg.org

Table 8
Number of Hospitals in Palestine
For the year 2004

	Governmental	UNRWA	Private	Non-governmental	Total
West Bank	11	1	16	15	43
Gaza Strip	10	0	0	10	20
Jerusalem	0	0	3	6	9
Total	21	1	19	31	41

* Source: Health Ministry, www.mob3.com

At another level, the Ministry of Health revealed impending plans to deal with sterility cases and gene transplanting in local hospitals, for the first time ever. As a result of intensive use of teargas together with cruel practices, sterility has been on the rise together with various forms of handicaps.

The Ministry announced a National Plan to protect children from measles and the lack of Vitamin A. Reports about having 70 cancer cases in the village of Dhariya evoked concern that this could be a result of Israel's dumping nuclear waste south of Hebron. The Minister of Health requested the WHO to dispatch a fact-finding committee to expose the deterioration of health and economic conditions as a result of Israeli practices and the impact of the Apartheid wall.

The Ministry launched three new centers to develop community psychological services in the West Bank and Gaza Strip. The annual scholastic health report for the academic year 2003-04 revealed that 91% of West Bank school pupils had undergone health checkups. Furthermore, the Ministry uncovered and confiscated expired medicine and medical supplies.

Second: Education

Palestinian pupils in the West Bank and Gaza Strip amounted to 1.2 million divided in 2100 schools with a total of 45,000 teachers. Students sitting for the Tawjihi (school-finishing) exams were 60,255, with 25 thousand in Gaza and 34 thousand in the West Bank. The number includes 865 participants who are detained by Israel.

Educational facilities were subject to Israeli assaults. During the Intifada, 283 schools were demolished, six were shut down and three others transformed to military barracks. There were 789 pupils killed, in addition to 194 university teachers, 24 teachers and 7 school employees. Around 1000 students were detained (710 of them from universities) as well as 132 teachers and 30 employees³⁶. There were 4787 wounded, of which 312 are from preparatory and secondary schools and 196 teachers and staff. The estimated material losses in the educational premises amount to 10 million dollars.

The PLC discussed the foul play with the grades of certain students who were sitting for their make-up secondary exams in Gaza. Allowances to retired personnel and their dependents were imbursemented from the social support fund with 500 ex-employees of the Ministry.

Table No. (9)
Number of schools, students and teachers for 2004³⁷

Gender	Schools	Students	Teachers
Male	752	528221	24383
Female	749	522106	22034
Both Gender	689	-- ----	-----
Total	2195	1050327	46417

³⁶UNRWA Commissioner Peter Hansen called for halting the targeting of schools following the killing of 10-year-old Ghadeer Mkhemer as she was sitting in her fifth grade in an UNRWA school in Gaza on October 23

³⁷Ministry of High Education reports on the Internet.

Table No. (10)**Students, Schools, and Teachers in governmental schools between 1994-2004³⁸**

Year	Schools	Students	Teachers
1994/95	1084	418	14.94
1995/96	1070	447.8	16.8
1996/97	1113	481.68	18.86
1997/98	1175	511.6	21.18
1998/99	1230	549.4	22.7
1999/2000	1289	586.8	24.32
2000/2001	1343	621.29	26.17
2001/2002	1406	653.65	28
2002/2003	1490	686.5	29.9
2003/2004	1577	711.5	31.86
2004/2005	1659	733735	33398

A drastic increase occurred in assaults and encroachments in schools. Parents held the Ministry of Education responsible for such deterioration. The latter responded that there is a problem in the changing value system coupled with the unstable and tense psychological mood together with the lousy economic situation and the inability of parents to control their children. On the other hand, the Al Azhar University syndicate in Gaza announced a day of strike to protest against repeated assaults on the personnel that did not spare rectors, deans, department heads and other lecturers³⁹.

The spread of such cases of delinquency is a bad omen with parents that have become increasingly unable to assume control.

The demands of the General Union of Palestinian Teachers for a salary increase to cope with the cost of living and cover expenses of the retired reflects their deteriorating conditions. As a result of their pathetic situation, 34 thousand teachers went on strike in the West Bank and Gaza Strip following the failure of the meeting with representatives of the Education and Finance ministries.

³⁸ibid

³⁹A poll conducted by the BZU Center for Development Studies on Oct. 5, 2004 revealed that 87% of the public were satisfied from school education.

The Ministry's efforts to develop schools persisted. A memo of understanding was signed with the Welfare Association to provide Palestinian schools with 294 computers at the cost of 300 thousand dollars. This would be part of the plan to upgrade the IT project at a cost of a million dollars. An additional five million dollars was spent by the Ministry in ten projects of school construction.

Table No. (11)
Average number of Students according to the responsible parties
For the year 2004/2005

Responsible Party	Primary Phase	Secondary Phase	Total
Government	623688	110047	733735
UNRWA	254582	-----	254582
Private	57872	4138	62010
Total	936142	114185	1050327

Table No. (12): The impact of Israeli Attacks on the Palestinian Educational Situation Until of December 31, 2004
Losses and Human Suffering⁴⁰

Sector	Numbers
victims educators and students	656
shot students and teachers	5660
detained students and employees	196
detained school and university students	1252
detained children students	336
school and university closed under a military order	12
postpone cases education at schools	1125
educational organizations were imposed to shelling	302 (university, school)
schools transferred to a military base	43

⁴⁰General Information Committee

Table No. (13): Material Losses

Cases	Numbers
Incidents of school shelling	282
Incidents of university shelling	10
Incidents of shelling educational offices	6
Incidents of school closure	9
Incidents of university closure	2
Converting schools to military premises	43
Incidents of destroying or razing schools	38
Incidents of disrupting education	1125

The Ministry is rightfully entitled to feel proud that it managed to continue teaching despite the war situation. With a 97% turnout, it managed to remain ahead in the educational level in comparison with neighboring countries. This was reported in the “Education for All” International Conference that was held in El Bireh.

Table No. 14: Secondary School Exams - Tawjihi results in 2004

Stream	Attended	Graduated	Graduation %
Scientific	12298	10271	83.5 %
Art	31064	19029	61.3 %
Vocational	2054	1180	57.5%
Private	13300	4987	37.5%
Total	58716	35467	60.4%

University Education

Despite the harsh conditions that characterized running universities throughout the occupation years, work was underway in improving conditions whether at the level of improving curricula, teaching methods or administrative structures. Currently, the

Palestinian university system comprises 11 universities and 25 community colleges with a total of 120 thousand students, of whom 35% are registered in Al Quds Open University and 7% in Technical Education Institutions. The proportion in university enrolment is one of the highest in the world. However, there are indications that universities have failed to properly fulfill their mission due to lack of coordination among various institutes⁴¹.

⁴¹Ibid, revealing that 59% feel that the universities are fulfilling their job and 77% feel that university education is too costly.

**Table No. (15): Distributions of Higher Education Institutions according to certificate granted
2003-2004**

Degree	Diploma only		Bachelor only		Diploma & Bachelor		Diploma & Bachelor & Researches		Bachelor & Higher Studies		Total	
	College	University	College	University	College	University	College	University	College	University	College	University
West Bank	17	-	1	2	4	3	-	1	-	2	22	8
Gaza	3	-	2	1	2	-	1	-	-	2	8	3
Total	20	-	3	3	6	3	1	1	-	4	30	11

Table No.(16): Distributions of Universities Students according to certificate granted

Degree	Diploma			Bachelor			Higher Diploma			Masters			Total
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	
Open University	184	157	341	22300	30361	39889							40230
Universities	358	306	664	30361	34513	64874	124	119	243	1718	936	2654	68435
Colleges	1252	1519	2771	849	1090	1939							4710
Mid- level Colleges	4423	4088	8511										8511
Total	6217	6070	12287	53477	53147	106624	124	119	243	1718	936	2654	121886

The Ministry sought to move forward through organizing various training courses on behalf of its public administration and educational supervision department. Work is underway to prepare technical studies regarding the strategy of financing Higher Education that had been prepared in August 2003.

The Minister, along with several parties within the World Bank, is in the process of discussing issues related to regulating the financing and improving Higher Education while providing equal opportunity to Palestinians that are seeking to enroll in institutions of higher learning.

The Ministry is in the process of tackling the issue of students in Lebanese universities following Beirut's non-recognition of the Tawjihi school-finishing exam. Refusing to equate it with the Lebanese certificate disrupted those students who had to return home awaiting a settlement of the problem. In the meantime, there have been attempts to absorb them in local universities.

The Ministry responded positively to demands of public and private college staff committees to exempt their children and spouses of tuition fees while securing scholarships and grants. The Minister of Education announced that 22 million dollars were made available to cover full support for 25 thousand students and partial support for 45 thousand others. An accord was signed with the Arab Bank to grant 72 scholarships to the outstanding Tawjihi students to study in local universities. In addition, USAID allocated 400 thousand dollars to Palestinian Higher Education in the West Bank and Gaza Strip, particularly for applicable research.

The operation in the Arab American University was disrupted for several days as a result of the intervention from the part of the Palestinian intelligence. The school was shut down on September 13 in protest. The Administration published a statement in the local papers calling upon President Arafat to halt external intervention in university affairs. The Head of the Jenin Intelligence Bureau Azzam Zakerneh, on his part, asserted that his department had the right to seek clarification on issues of concern regarding certain people.

In a meeting held on October 30, representatives of various parties as well as the intelligence community asserted the need to allow the smooth operation of the university. The need to respect the immunity of the university was underlined.

Third: Infrastructure and Housing

Transportation

The **Ministry of Transportation** announced launching a campaign to actively trace unlicensed vehicles. It approved demands of public transport representatives and taxi-drivers to end their strike. The deal included halting the distribution of taxi licenses in the Southern Governorates and restricting public transport vehicles in PA areas to reduce overcrowding and regulate matters. Furthermore, the Ministry approved to cut dynamometer testing costs into half. The emergency teams formed by the Ministry to assess direct and indirect losses as a result of Israeli belligerence estimated that it amounted to 107 million dollars.

The Ministry of Finance is seeking to deal with 91 unlicensed distribution points of which 11 are in Gaza. This requires the PA's reassuming control. At another level, the Ministry tackled other issues such as shutting down the Tarqumia gas station for a month following the discovering of selling smuggled gasoline. A fine equaling the price of the smuggled gasoline was also imposed. Another gas station in Bethlehem was shut down for a couple of days with a fine of 100 thousand shekels for messing up with prices and quantities. This falls within measures to control the gasoline market and restrict cheating procedures in the Palestinian market.

The decision to get rid of all public vehicles produced before 1982 evoked widespread resentment. As a result it was frozen, pending alternative procedures.

Chickpoints

It is not easy to discern the exact number of the roadblocks that have been erected over the Palestinian areas. Independent sources estimate that there are 720 roadblocks over an area of 6600 square kilometers; which means one of each 8sq.km for 3km. of roads. Israel claims that security lies behind erecting such roadblocks that managed, according to official sources, to deter 200 anti-Israeli operations. Regardless of such claims or justifications to tear Palestinian areas apart, such roadblocks constitute a blatant form of collective punishment.

The policy of systematic isolation of Palestinian areas produced a racial system of

roads with settlers having access to the main roads while Palestinians are forced to seek sub-routes. In addition to the time-consuming procedures, such a system is costly. In fact, for Palestinians, transport expenses increased threefold. In case certain roadblocks are removed, the occupation will claim offering concessions of easing off closure. However, the roadblocks are a major impediment to Palestinian economic activity.

In this respect, the Israeli journalist Yuval Elishan⁴² raised the question: If security is the reason for all the roadblocks, then why do hundreds of people have to line up with no protection under the scorching sun? Why do they have to queue for hours without being provided with water or restrooms? How come the army, which is capable of bringing in immigrants from Ethiopia, liberating hostages in Uganda, saving lives following the earthquake in Turkey... fails to install toilets and water taps to thousands of civilians? The Israeli journalist concludes that the roadblocks are designed to humiliate and make life unbearable.

Mikhael Aharoni⁴³, on the other hand, considers that the humiliation, cruelty and abuse that Palestinians have to undergo has to do with the boredom facing 18 or 19-year old kids who enjoy harassing old people or sick and pregnant women. She added that the abuse of soldiers constitute an obstruction of movement for Palestinians that could go on, sometimes, for weeks. The roadblock could be shut down or opened without previous notice. The treatment that Palestinians have to pass through reflects a deeply-entrenched hatred and condescension. The supremacist attitude of soldiers emanates from their contempt to Palestinians. As a result of the roadblocks, freedom of movement for 2.5 million Palestinians is severely curtailed and controlled by 16 Israeli clerks divided over 8 coordination offices. In fact, no more than 2.4% of the West Bank population were able to secure permits to circulate around West Bank towns. The “No Borders” and the Israeli “Doctors for Human Rights” stressed that such a policy is in a clear violation to human rights and must be reversed immediately⁴⁴.

Furthermore, the roadblocks are utilized to harass public figures. For instance, Archimandrite Atallah Hanna was stopped and held for several hours on January 17

⁴²Maariv, Aug. 29.

⁴³Maariv, Aug. 22.

⁴⁴The report of the two organizations was published in May 2004.

while activist Abdel Latif Ghaith was detained for six months with no charges.

The increasing brutality of Israeli soldiers against Palestinians have side-effects affecting the soldiers themselves. This had to do with a steady increase in the rate of suicide within the army. In fact, more Israeli soldiers died as a result of suicide than operations in the field. For instance, in 2003 there were 43 soldiers who committed suicide, in comparison with 30 who died as a result of field operations. This constituted a 20% increase than the previous year⁴⁵.

Number of Destroyed Houses and other Buildings⁴⁶ Until 31/10/2004

District	Partial Damage		Heavy Damage		Public Buildings Damage		Security Building Damage		Roads Damage		Total	Total in Million Dollars
	No.	Value \$	No.	Value \$	No.	Value \$	No.	Value \$	Direct \$	Indirect		
Ramallah	6145	7.08	79	3.683	63	2.345	14	24.485	9.835	5.600	15'435	53'034
Bethlehem	7850	8.725	163	7.731	18	1.795	4	3.175	6.128	4.000	10'128	32'129
Hebron	6300	5.45	393	13.870	4	0.098	11	5.887	7.510	6.300	13'810	39'255
Tulkarem	2800	2.25	80	2.785	20	1.263	5	2.615	4.510	4.600	9'110	18'028
Jenin	8085	6.36	1041	25.980	3	0.410	6	3.992	13.134	6.450	19'584	56'329
Nablus	6500	4.71	893	23.698	24	1.450	15	1.531	10.070	5.640	15'710	47'104
Jericho	30	0.03	7	0.254	1	0.010	9	0.314	1.050	2.000	3'050	3'659
Qalqulia	1627	0.65	62	2.718	11	0.020	10	0.085	2.650	3.160	5'810	9'277
Salfit	580	0.75	13	0.587	1	0.009	1	0.280	2.000	3.240	5'240	6'866
Jerusalem	47	0.03	4	0.370					3.150	3.200	6'350	6'755
North Gaza	3165	2.867	500	11.711	16	0.118	3	0.029	8.199	0.850	9'049	23'774
Gaza	2885	2.526	236	9.842	10	0.751	337	19.303	1.870	4.400	6'270	38'722
Central	1574	1.324	227	6.398	1	0.014			0.900	1.200	2'100	9'836
Khanyounes	6006	3.603	145	16.611					1.150	1.200	2'350	22'564
Rafah	8377	4.293	2706	61'217	3	2.689			3.831	1.600	5'431	73'630
Total	61971	50.667	5253	187.595	175	10.972	415	62.301	75.987	53.44	129'427	440'962

⁴⁵Maariv, July 15 from an Israeli army report.

⁴⁶Data: Ministry of Housing and Public Work

Table No. 18
Lengths of Public Roads net for the year 2004⁴⁷

Area	Road Type			Total
	Main	Regional	Interance	
West Bank	469.7	379.7	2'631.5	3'489.9
Gaza Strip	58.4	7.8	424.1	490.3
Total	528.1	387.5	3'055.6	3'971.2

Table No. (19)
The impacts on the Palestinian infrastructure resulted from the Israeli acts
Until 30/12/2004

Total homes destruction	5263 house, including 2772 in Gaza Strip
Partial destruction	56255 homes, including 16186 in Gaza Strip
Land demolishing	62044 dunam
Trees	991581 trees
Land confiscated for the wall	602620 Dunam
Settlements ⁴⁸	145
Settlers	231,000 (Till 30/6/2003)
Shelling houses	25089 times
Destroying water networks	714719 meters
Rural Infrastructure	288985 meters

⁴⁷Palestinian Central Bureau of Statistics

⁴⁸Data from the Ministry of Housing

The Apartheid Wall (the policy of Berlinization)

During 2004, there was a remarkable drive in the construction to erect the Apartheid wall. Despite International condemnation, work proceeded speedily with the confiscation of huge chunks of land, harming people and further isolating them. There has been a world-wide condemnation due to the wall's erection on stolen land away from the green line. Security justifications were utilized to control natural resources (land and water) at a distance of 10 to 25 km. within the Palestinian territory, isolating Jerusalem completely. The wall amounts to the Berlinization of Palestinian territories, transforming the land into detention concentrations, and is being used as a means to acquire land. In fact the wall is one of the largest constructions in the world; nothing surpasses it other than China's Great Wall. It is much longer than the Berlin wall and stands at 670 km. of which only 20% is on the 1967 line with the rest on stolen land constituting 10% of the size of the West Bank. It seriously undermines 38 Palestinian population areas.

The verdict issued by the International Court of Justice on October 9 over the wall was a landmark underlining its illegality and contravention with International law. Israel was requested to halt construction and dismantle the wall while returning ownership and compensating affected Palestinians. The US stood alone in opposing the ruling together with Israel that rejected it, insisting to proceed with its plan.

The UN bodies considered that the ruling is binding and reflects International law. Israeli circles were worried that this could be a prelude to impose sanctions such as the ones which existed in South Africa during the Apartheid era. Unlike the defiant mood of the Israeli government, the legal advisor of the Israeli Justice Ministry stated that the ruling should not be dismissed since Hague is the highest juridical body in International law. Failure to honor its ruling could also result in economic relapses.

Holland led a step to consider imposing economic sanctions for Israel's insisting to proceed with building the wall in utter defiance of all international conventions. Dutch Foreign Minister Bernard Polt, whose country chaired the EU, announced on August 26 that European assistance to Israel will depend on Israel's compliance with the ICJ ruling over the illegality of the wall.

At another level, **PECDAR** announced that the National Library building in Gaza was in the process of completion at the cost of one million dollars. In addition, a contract was signed to build an industrial complex in Birzeit. The network of roads in the Bethlehem Governorate was refurbished and eight new schools in the Gaza Strip were handed over to the Ministry of Education with the support of Italy and the Islamic Development Bank. The PECDAR Director also announced completion of a number of health centers, including the Nasser hospital in Khan Younes. Furthermore, a number of projects in infrastructure services was completed.

Water

The **Water Authority** warned of the alarming situation regarding water supply in Palestine. The West Bank need by 2010 is 150 million cubic meters while the current reserve is no more than 65 million. The authority also warned from the effects of millions of cubic meters of waste water poured from West Bank Israeli settlements into Palestinian valleys. Equally, water population in Gaza is on the increase. The future looks quite gloomy in this respect. The authority had to take special measures to reduce water pumping hours to prevent further decline of water levels.

Furthermore, the **Water Authority** increased its efforts to maintain quality control by providing special equipment to various municipalities to conduct tests. It warned of an imminent environmental catastrophe as a result of Israeli water policies based on military orders since 1967 without any consideration to proper water treatment. Municipalities and local councils were asked to pay piling water debts that reached 50 million dollars with their names published in the local papers. Since the beginning of 2003, the Water Authority implemented projects at a cost of 88 million dollars. In addition, it is in the process of spending 90 million dollars to repair wells, construct transport lines, devise internal networks and upgrade distribution nets. The water basins in the West Bank have been upgraded along a hydraulic map. Since the establishment of the authority in 1996, investment in water projects amounted to 350 million dollars, of which 10% come from the PA while the rest was covered by international assistance.

Land

The process of confiscating Palestinian lands, which has been common under occupation, continued relentlessly in what has been called “land laundering.” The idea is to grab land under all sorts of justifications, and then turn it over to settlers in the same manner that occurs with money laundering. The **Land Authority** warned of certain attempts by certain influential figures to put their hand on state land. This was part of an armed break-in into the PA Land Authority offices in an attempt to alter property titles by force.

Communications

The **Communications and IT Ministry** announced selling its share in the JAWWAL Mobile Phone Company in order to cover the salaries of the PA personnel for January 2004. To deal with the high cost of telephone calls, an agreement was reached with PALTEL resulting in a significant reduction of costs (around 60%). This included unifying costs of calling from various areas within the country. In cooperation with PALTEL, the Ministry launched the “Computer Fund” project to encourage to the maximum access to the internet. This would involve providing easy loans that would be paid back in small amounts added to the phone bill. The Ministry’s contribution to the fund was one million dollars. An IT National Strategic Plan was preparing giving priority to camp dwellers and rural areas.

Housing, Construction and Public Works

The number of houses demolished by the Israeli occupation reached a record high in 2004 affecting 9387 houses with 2366 completely destroyed⁴⁹. The **Ministry of Public Works and Housing** issued statistics regarding its contribution to repair a total of 6683 buildings until August 21, 2004. At that date, the Ministry handled dealing with 2127 houses, of which 834 were built from scratch. The total number of partially damaged houses amounted to 59,171 houses of which 49,216 were repaired by support from the Ministry. Losses in buildings and roads, since the eruption of the Intifada, is estimated at 450 million dollars.

⁴⁹General Information Bureau, Dec. 30, 2004.

It is noteworthy that the Lebanese government temporarily eased off its eight-year old policy of banning entry of building material into the South Lebanon camps to prevent its expansion. However, the ban is still maintained in the camps that are located in Beirut, Sidon, the North and the Beqa’.

House Demolition

Israeli measures resulted in stranding or harming 15 thousand households affecting 70 thousand persons. There were 5135 buildings that were completely demolished while an additional 59171 houses were damaged. On May 27, the PLC passed, by consensus, the third reading of the bill to fund those affected by the Israeli aggression, as an emergency issue⁵⁰. In this respect, the UAE contribution to repair affected houses, following the assault in May, and reconstruct 400 houses in Rafah, Zeitoun neighborhood needs to be mentioned. An additional 736 apartments were built in Zayed city. The UAE Red Crescent assistance to reconstruct demolished houses amounted to 27 million dollars.

In the meanwhile, an Israeli military committee headed by Colonel Oudi Shany investigated whether the policy of house demolitions is effective as a deterrent. The behavior of the military during the demolishing was also reviewed. The Committee concluded that there is no control while carrying out demolitions. A number of Israeli officer testimonies indicated the unrestrained cruelty of house demolitions that are decided at an inferior level in the army without the need for orders from the top brass.

House demolitions are carried out as part of a systematic policy which is referred to as “razing” complete areas around Israeli settlements. It could also take place in form of vengeance in a specific area. Following the campaign that resulted in the leveling of 86 houses, while the army claimed only six houses were affected, an Israeli officer commented: “All the respect, you have proved that the Israeli army could be brutal⁵¹.”

An American organization reported that Israel, in an illegal manner, leveled

⁵⁰The draft bill was prepared by the ATF and presented to the PLC through member Azmi Shuaibi.

⁵¹Haaretz, Dec. 4.

thousands of Palestinian houses. Without any military need to have a buffer zone between Gaza and Egypt, 1600 persons were stranded⁵². Referring to the gravity of the demolitions in Rafah, Knesset member Yossi Sarid commented on May 17: “One could barely swallow the demolition of a house if it is a source of fire, but it is unacceptable to condone the leveling of hundreds of houses, including those who are not implicated at all in hostile activities.”

On the other hand, the Ministry of Public Works and Housing implemented a project to construct 300 residential units to accommodate some of those whose houses were demolished in Rafah. In fact, there are more than 15 thousand who are stranded. The Ministry announced that 150 million dollars were needed to restore Rafah following the last assault. The outcome resulted in full or partial demolition of 747 houses together with the damaging of water, electricity, telephone, sewage and road networks. A plan to offer each household that lost their house in Rafah an amount of 500 dollars per month (for three months) was announced. Design and construction plans to build the King Fahed Ministry informed that the Cabinet will give a final approval to sell apartments in Sheikh Zayed Ibn Sultan’s city after receiving applications from those willing to purchase. The Minister discussed the possibility of assisting martyr families to have access to the apartments with a representative delegation. The UAE pledged to support a housing project to build 616 residential units at a cost of 22 million dollars to accommodate those who became homeless in Rafah.

At any rate, standards related to beneficiaries of these apartments need to be carefully secured with a high level of transparency and accountability. Inviting applicants through ads in local papers is a good start.

The Ministry addressed two issues of direct concern to the public. It had to do with the assaults on traffic lights and signs and stealing sewage covers.

The **Energy and Natural Resources Authority** reached a preliminary accord with the Egyptian Oil Minister to purchase natural gas. On the other hand, the Petrol Authority set up on March 1 the optimum oil and gas prices to the consumer.

⁵²Human Rights Watch, Oct. 8, 2004

Although 99.4% of Palestinian households are connected to the electric grid, the Energy and Natural Resources Authority put up an emergency plan to deal with the alarming problem of frequent electricity cuts in Gaza. In cooperation with the Finance Ministry, a preliminary agreement was reached to subsidize the generation of 300 cubic meters of fuel daily through the establishment of a pipeline from the Egyptian town of Sheikh Zouweid to the Gaza electric generator to secure continuity and activate the station. The Director of the Energy Authority announced that up to 15% of the salaries of public employees and the military would be cut off in order to cover unpaid electricity bills.

On the other hand, PECDAR announced concluding the draft of a detailed study with the World Bank addressing the needs following the expected Israeli withdrawal from Gaza.

Fourth: Social and Detainee Affairs

The **Ministry of Social Affairs** has been active in launching a 40-million dollar social security network. The World Bank is covering one quarter of the cost of the four-year project that involves providing food, educational, medical and training assistance. The Ministry stressed the need to proceed with the National Plan of the Palestinian children as a worthy challenge to the PA. In conjunction with two other ministries, work is underway to cope with the increasingly alarming problem of child labor as a result of the economic hardships.

Furthermore, the Ministry emphasized its involvement in a number of projects related to all those who are living below the poverty line, whether children, women, emergency social cases or detainees. The project to regulate child care was discussed urging the speeding up of the legislation related to children. Full identification was declared with the unemployed university graduates. In addition, a presidential decree was issued to form the Higher Council of Caring for the Disabled on March 1, 2004. Also, procedural bylaws to deal with minors were set up by the Ministry.

There are around 90 thousand handicapped people in Palestine with 83% of them unemployed. About 7000 were rendered disabled in the course of the four last years as a result of Israeli assaults. In fact, the General Union of the Palestinian Handicapped announced the intention to sue the Public Personnel Department for failure to implement employing 5% of the disabled as stipulated by law. A statement

issued by the Union indicated that 65 of the handicapped were murdered in the course of the recent Intifada while 600 of them have been detained. 7000 additional handicapped were added as a result of Israeli attacks.

Detainees

The Ministry of Detainee and Ex-detainee Affairs warned that conditions in Israeli prisons and detention centers are at the brink of explosion at any moment as a result of inhumane policies and humiliating practices. The number of Palestinian detainees in Israeli prisons was 7600 with 1050 of them who were incarcerated before the eruption of the last Intifada.

However, the Ministry's records reveal having 7500 Palestinian detainees held by Israel with 5906 of them appearing on special lists. In fact, 2000 of those are minors below the age of 18. Among them, 236 are held without any charges or court procedures. Under occupation there were 166 Palestinians who perished in Israeli investigation cells. Of those, 67 were directly murdered, 67 died as a result of torture and 31 due to medical neglect⁵³.

The martyrdom of the life-sentenced Jerusalemite Muhammad Abu Hadwan brought forth the case of the detainees. It turned out that 950 Palestinian detainees suffer from chronic ailments. Medical neglect is prevalent including cases of detainees that still have bullets in their bodies. Ministry reports indicate that 250 detainees have become handicapped as a result of being shot at. Of those, there are 25 cases of partial paralysis, 45 neurological cases resulting from torture under interrogation. A new method was devised by the Nahshon Brigade that handles Israeli prison services through utilizing iron bullets instead of tear gas. Such bullets result in acute pain and transforming skin color into crimson red.

The prison authorities are overlooking the basic humanitarian principles under the pretext of fighting terror. However, serious violations of International law are common, often falling in the category of war crimes. A number of associations dealing with detainees confirmed that there were repeated testimonies of children that were allegedly intimidated by threats of rape or sexual abuse to frighten them and push them to confess. The issue does not evolve around isolated incidents here

⁵³Detainee Affairs Ministry, Statistical Report, Feb. 28, 2005.

and there but is rather a system policy in the interrogation process. While there were certain cases of rape, the record also indicates instances of detaining mothers, spouses and sisters with blackmail to rape as a form of coercion to confess⁵⁴.

Israeli practices in torture outsmart the reports of the American performance in Abu Ghreib prison. In fact, the Americans are amateurs compared to the Israelis in this domain. Officially, Israelis do not utilize the term of “torture.” However, they confess and legalize torture during interrogation with broad public Israeli support that has no significant pangs of conscience⁵⁵. The Minister of Detainees and Ex-detainees revealed that there were 1500 prisoners who suffer from various ailments and whose health conditions are neglected. He added that the detention conditions are cruel. A report issued by the Ministry claimed that 98% of the detainees in Israeli prisons were beaten up and tortured during investigation or while they were captured.

As a result of the systematic humiliation, Palestinian detainees declared an open food strike starting from August 15, 2004. This involved 1700 prisoners in four detention centers (Shatta, Beer Sheva, Hadarim and Nafha). As an immediate response, special units called “The Fortress” attacked the prisoners on strike with bayonets and shot bullets causing bodily skin burns. The outcome was the wounding of 30 detainees on August 31 with four of them suffering from burns in Nafha prison. In addition, the prisoners were deprived from access to essential materials and family visits. This was accompanied by a psychological warfare and spreading rumors to break the morale of the striking detainees.

A widespread solidarity campaign was waged in support of the strike. It included erecting tents in scores of towns as a parallel support strike. On September 2, it was decided to support the strike for four days as a step to facilitate negotiations with the prison authorities. As a result it was agreed to halt the policy of naked searches, allow telephone calls, improve the nutritional conditions, stop assaults on detainees, increasing daily rest periods, facilitating family visits and refraining from the policy of solitary confinement.

The morale drawn from the harsh experience of the prisoners’ strike lies in missing an opportunity. Hunger and the humanitarian issue was not properly utilized within

⁵⁴Detainees and Ex-detainees Society - Husam

⁵⁵Washington Post, June 16.

a political/legal context that would ameliorate conditions of the detainees. The Ministry was criticized for not being up to the level of responsibility in endorsing the prisoner's cause. Certain human rights organizations claimed that the Ministry was eager to see the end of the strike without achieving the requested demands. They added that talks with the Israelis were conducted with no proper coordination with the strike leaders in detention centers.

Following this, women detainees in Telmoud prison went on a hunger strike starting from October 25 in protest against the deterioration of their conditions. The procedures included conducting humiliating naked searches. In the Ramla prison, there are 58 women prisoners of whom 8 are below the age of 18.

At another level, the Ministry of Detainees and Ex-detainees distributed four million shekels to prisoners and their households. The monthly allocation of assistance was increased by half a million shekels to become two million. In addition, the PA signed an accord with the Swiss government to provide 1.25 million dollars to implement the project to rehabilitate ex-detainees until the end of September 2005. However, this issue remains a pending problem that needs to be addressed in light of deals that do not respond to the minimum level of expectations.

The Ministry revealed that there was a noticeable increase in the number of minors held in administrative detention. Between September 2000 and April 2004, more than 2000 minors less than 18 years old were detained. Currently, there are 35 of them in administrative detention and 484 pending cases. Another Ministry report indicated that until March 2004, there were 7500 detainees held by Israel. On another level, the Ministry pursued the issue of prisoner exchange between Hizbullah and Israel involving the release of 400 Palestinian detainees. Efforts to allow detainees to participate in the election process failed.

Fifth: Economy and Commerce

Despite recent trends of stability within the Palestinian economy, there is a long way to go to activate the needed vitality and respond to actual needs. In fact, this is unlikely in light of the policies of closure, isolation, roadblocks, the wall and the destruction of infrastructure. Needless to say, economic growth is directly linked with

stability and the freedom of movement. Both are fully controlled by the occupation forces. Actually, 15% of Palestinians are in a condition of dire poverty⁵⁶.

There are 187 thousand workers in Palestinian economic institutions producing 2.32 billion dollars of which 46% are in industry, 26% in commerce, 13% in services, 8% in transport and communications, and 7% in construction⁵⁷.

Despite the increase of international support to the PA to a billion dollars, the actual income levels have been reduced to 40% of what it actually was before the Intifada⁵⁸. The per capita income decreased from 1750 dollars in 1999 to 1040 in 2003. More than two million Palestinians live on less than 2.1 dollars per day, while the established poverty line is 3.6 dollars per day⁵⁹. In contrast, in the year 2003 the unemployed constituted, in the third quarter of 2004, a total of 226,000 persons, which represents 26.8% of the work force. The policy of closure was the main factor in the deteriorating economic conditions of Palestinians⁶⁰. In order to achieve an economic recovery, there is an urgent need to increase annual assistance by an additional 400 to 500 million dollars⁶¹.

The **Ministry of National Economy** was restructured through the merger of commerce, supplies and industry under one umbrella. Focus was on the issue of food security as a basic component of political, economic and social stability in light of the unique circumstances facing the country. Undoubtedly, Israeli measures affect the strategic deposits available in the country. In addition, there is a need to watch the items and the quality of consumer goods. The Ministry managed to discover supplies with expired dates that were not adequate for human use. The department of control ascertained its policy of eliminating consumer goods that do not fit within established specifications and standards.

The Minister of Economy signed a memorandum of understanding that will make Palestine a beneficiary of countries that benefit from the 48 million euros of Dutch financial support. On the other side, USAID announced allocating 75 million dollars for the forthcoming year towards supporting private sector projects, agricultural

⁵⁶Separation and Palestinian Economy and Settlements, World Bank Report, June 2004.

⁵⁷PCBS, Feb. 2005

⁵⁸World Bank, Picking up or stagnation: Israeli separation and prospects of Palestinian Economy, December 2004.

⁵⁹Nigel Roberts, World Bank, third report, 2004.

⁶⁰Christian Portman, Deputy Director, Middle East and North Africa, World Bank 2004.

⁶¹UN Economic Committee for East Asia, Jan. 2004.

enterprises, infrastructure and humanitarian aid. In addition, factory and industrial workshop owners were to be subsidized in order to alleviate the damage caused as a result of Israeli measures.

Towards the end of June, the Council of Ministers approved the mid-term Palestinian Development Plan for the period of 2005-2007 with a 4.5 billion dollar budget to be presented to donor countries. The plan seeks implementing a variety of activities such as supporting the operational budget by 1.325 billion dollars and 1.050 for infrastructure development, including the Gaza port and Rafah airport at a cost of 413 million with 369 million for restorations and 337 million for social development including education and health. Social and humanitarian assistance would get 240 million and 510 million to support the capacity of various sectors. The three-year plan earmarked 1,350 billion for 2005; 1,529 for 2006 and 1,630 for 2007.

The Minister called for a public inquiry over the issue of the Egyptian cement used to build the Apartheid wall. This followed the PLC's referring the matter to the Ministry of Economy. The Ministry stressed that the incoming Egyptian cement to the Palestinian areas was in line with the customs quota. The confusion is probably a result of selling no more than 14 thousand tons of cement to Israelis with proper invoices out of a total of 132 thousand tons that were imported between June and October 2003.

In fact, a PLC monitoring delegation headed to Egypt to investigate the issue of whether certain Palestinians were implicated in providing cement for the Apartheid wall. Some consider the matter totally groundless; claiming that it is part of the rituals to combat corruption.

The authority to encourage investment set out to implement the Cabinet's decision to extend tax exemptions of various beneficiary projects. At another level, reports of the Monetary Authority regarding the performance of banks within the Palestinian areas indicated that the overall deposits increased to around four billion dollars.

Table No. (20)
The main economic indicators in Palestine (in million Dollars) ⁶²

Indicator	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Population no (in million)	2.361	2.454	2.554	2.840	2.958	2.085	3.224	3.381	3.472	3.647	3.827
GDP	2.833	3.504	3.878	4.182	4.464	4.954	4.579	4.405	3.779	4.222	4.462
GNP	3.216	4.055	4.546	4.914	5.617	6.125	5.466	4.911	4.161	4.761	4.951
GDP/ capita	1.222	1.411	1.474	1.503	1.541	1.641	1.484	1.302	1.088	1.157	1.650
GNP/ capita	1.388	1.632	1.728	1.766	1.939	2.028	1.771	1.452	1.198	1.304	1.293
Consumption	3.755	4.125	5.011	5.299	5.435	5.920	6.093	5.293	5.073	5.578	5.896
Private	3.178	3.641	4.230	4.148	4.227	4.646	4.870	3.970	3.806	4.463	4.717
Government	577	485	780	1.152	1.208	1.273	1.223	1.323	1.266	1.116	1.179
Unemployment%	25	18	24	20	14	12	14	25	31.3	25.6	26.90
Inflation%	14	11	8	8	5	5	3	1	5.7	4.4	3.0
Public Revenues	400	549	928	1196	1.822	1.136	1.364	1.308	743	1.219	1.308
Domestic	268	411	684	816	922	901	964	581	335	701	947
Donations	132	138	244	306	330	235	400	765	408	519	361
Public expenditure	383	635	928	1.113	1.193	1.194	1.364	1.239	1.237	1.494	1.354
Current	297	501	710	790	819	927	940	1.016	1.025	1.231	897
Capital costs	85	134	218	323	375	267	424	222	212	263	457
Deficit/surplus before donation or grants	114-	223-	243-	465-	439-	293-	400-	952-	-902	-792	-407
Total Deficit / surplus	17	-86	0	-159	-109	-58	0	-186	-493	-274	-46
Goods and services exports	561	668	739	767	887	891	868	626	572	518	547
Goods and services imports	2.334	2.500	2.871	3.028	3.320	3.804	3.404	2.779	2.553	2.873	3.037
No. of workers in Israel (in Thousands)	53	67	58	83	120	138	119	65	50	58.7	53
No. of workers in Palestine (in Thousands)	328	347	354	402	435	461	489	481	435	546	560

Agriculture

The **Ministry of Agriculture** announced that it is seeking to solve the problem of agricultural engineers at the level of appointments and calculating service years. An agreement was signed with the World Food Program to market Palestinian olive oil to the tune of 1.3 million dollars. In addition, five mobile veterinary clinics were provided through the Al Aqsa fund.

⁶²Source: Palestinian Central Bureau of Statistics, 2004

The Agriculture Ministry issued reports on losses incurred since the eruption of the Al Aqsa Intifada until the end of September 2004 within the agriculture sector as a result of Israeli policies. This involved an estimated loss of 1.1 billion dollars as a result of bulldozing lands and uprooting trees. During 2004, 29,500 trees were uprooted and 10,300 dunams bulldozed with the demolition of 92 cisterns⁶³.

The Agriculture Ministry positively responded to the needs of farmers that were affected by the extraordinary cold weather wave promising to compensate them within available means. Once again, this issue evokes the need to establish a fund for protection from natural disasters.

At another level, there is the issue of Israeli settlers who seek to hamper olive-picking during the season in October. They tend to forcefully obstruct roads to the olive fields and attack Palestinian farmers; trying to prevent them from collecting the yield⁶⁴.

The **Tourism and Antiquities Ministry** sought to alleviate the losses incurred as a result of the serious setback following the assault on the tourist sector. During the three years of the Intifada, losses are estimated to be 950 million dollars. The Department of Antiquities and Cultural Heritage dispatched a complaint to UNESCO in protest of the Israeli assault in the old city of Nablus that caused serious damage to historic buildings. Also, the Ministry requested the recuperation of 55 thousand archaeological artifacts that Israel had collected since 1967. An agreement to activate tourism was signed with the Israeli side. In light of continued Israeli aggression, this sounded somewhat absurd.

Official sources revealed that there were 75 hotels in the Palestinian areas with a capacity of 3050 rooms and 6620 beds. Of this total, 26.5% are in the Jerusalem area (with 907 rooms and 2147 beds). There are 1200 people employed in hotels. Occupancy did not exceed 11.7% in contrast with 74% as was the case in 1999⁶⁵.

At another level, to encourage investment, the authority is in the process of rescheduling tax exemption periods to make it up for companies that did not benefit from tax facilities as a result of the Intifada eruption.

⁶³General Information Bureau, Dec. 30, 2004.

⁶⁴AFP report, Oct. 24, 2004.

⁶⁵PCBS, Hotel Activity Survey in the Palestinian Territory for 2003, April 2004.

Sixth: The Budget and the Financial Situation

The **Finance Ministry** has reason to be upbeat for improving its performance. After all, the World Bank confirmed on April 27, 2004 the “concrete positive developments over the last two years with an international reserve fund to cover an important chunk of the budget to the tune of 650 million dollars of which 20 million will be offered by the World Bank.” This is the first time that the World Bank provides direct assistance to the Palestinian budget while the EU granted 70 million euros.

The Ministry implemented a number of activities in line with the 2004 PA budget and the reform program. Additional funds were allocated to various ministries and public bodies. Also, the PA share in the Paltel mobile phone company was sold. The second quarter of the year witnessed a tangible improvement in economic conditions thanks to the external assistance funds supervised by the World Bank starting from April 2004. However, the Minister complained that external support was actually reduced despite the reform efforts that were praised by various parties, including the World Bank calling for an urgent intervention. He expressed doubt of the PA’s ability to cover the estimated 650 million dollar deficit for 2004. Since the outset of the year, the amounts reaching until the end of June were no more than 180 million dollars. The Minister revealed that out of the 1.2 billion dollars loans registered on the PA until the end of 2003, 980 million dollars were actually drawn. In order to comply with proper procedures, the Ministry presented the quarterly report on the budget process for 2004. However, there was a delay in presenting the proposed budget for 2005.

In a session with the PLC held on October 20, the Minister of Finance warned that the PA is in bad shape, financially, due to delays and severe cuts from amounts pledged by Arab and International sources. Until the middle of the year, 180 million dollars were forthcoming instead of the expected 360 million. Israel continued to withhold funds pertaining to the PA. As a result, monthly payments had to be reduced to 102 million as earmarked in the budget. Local revenues, which are estimated at 72 million per month added to 50 million of tax returns, contributed to cover monthly payments estimated at 160 million dollars.

The Finance Minister emphatically denied allegations that Muhammad Rashid, the late President’s adviser transferred an amount of 600 million dollars following

Arafat's death. He equally denied that the late Palestinian leader had a number of secret bank accounts; claiming that these are all rumors.

A significant step was achieved at the financial level with the establishment of the Palestinian investment fund, bringing together all public companies. Assets were declared according to international standards and published on a website⁶⁶. Profits, amounting to 32 million dollars, from companies sharing the fund were transferred to the state treasury.

A recent Palestinian study confirmed that the Finance Ministry managed to devise clear policies to the Palestinian fiscal system, in line with the national interest and conforming to the unfolding changes. The institutionalization steps enhanced International confidence and satisfied Palestinians.

Money Confiscation

The occupation authorities did not confine themselves to land confiscation, plundering natural resources and imposing taxes in an illegitimate way. They went as far as outright theft of cash money. This occurred in two ways; the first was in the form of withholding the tax revenues that Israel collects on ports of entry, on behalf of the PA, for items imported directly into Palestinian areas. With all kinds of compensation claims at Israeli courts, the money is used to cover for such rulings. For instance, instead of referring to the insurance committee, any Israeli facing a car theft could sue the PA. The same could occur with an Israeli hotel owner holding the PA responsible for the decline of business. In mid 2004, there were 1.5 billion dollars of such claims. Instead of dismissing such steps as meaningless acts, orders were issued to sequester PA funds.

When the US and the EU complain about such measures that contravene with international law, Israel responds that this is an interference with the "independence of the judiciary." This, Israeli avarice supercedes any logic or law. It is noteworthy that Israeli civil courts are incorporated within the control system imposed on Palestinians. This includes control over the air as reported by Israeli journalist Amira Haas⁶⁷.

⁶⁶www.pa-inv-fund.com

⁶⁷Haaretz Oct. 27, 2004.

The other form, which is equally absurd, occurred when Israeli artillery troops broke into several banks and emptied the coffers taking away around ten million dollars of cash deposits. The Jordanian government, which has normal diplomatic ties, is considering suing Israel for such an illegal assault on banks owned by its citizens. The insolence of the Israeli Defense Minister reached a point to declare that the money will be used to cover army expenses in the occupied territories.

In addition, various taxes and fees are illegitimately imposed on Palestinians since 1967. A weird phenomena in this respect occurred in 2003/04. This was in the form of private collectors, on behalf of the Israeli broadcasting corporation, stopping vehicles and taking away car-keys, with the protection of the police. The victims would be informed that their car keys would be only returned after they pay 1000 dollars as fees for broadcasting programs (that they hardly listen to in the first place). Such burglary campaigns were halted only after an Israeli victim went to the court that ordered an immediate cessation of such practices. It remains to be seen whether the court order to return the amounts collected by such means will be implemented.

In a significant step, the Finance Ministry announced inaugurating a department for public service. Starting from April 2004, regular monthly payments were to be paid to retired beneficiaries of the insurance and provident funds. Money pertaining to charitable organizations were to be released, in compliance with the Higher Court order. Since the beginning of April, all security personnel receive their salaries only through banks. Although this was the first time for such a procedure to occur under the PA, it went on smoothly. The Minister asserted that the procedures to implement the civil service law are based on the law. Any incremental payments would be paid starting from April 2004. Study is underway to deal with the issue of teacher salaries that are quite low. In addition, more compensation allowances were to be offered to the 20 owners of the land where the Rafah airport was built on some years ago.

Table No. (21): Summary of the budget for the year 2004⁶⁸ (in Million \$)

Expenditure		Income	
Local Income	298 (\$)	Running Cost	
Transaction	508	Salaries	828 (\$)
		Operational	228
		Transferable	250
		Others	18
		Development Cost	250
Total	806		1694
Deficit	-(888)		

The 2004 budget, by the far the best from a formal point of view since the inception of the PA, got the approval of the Council of Ministers and the PLC in an orderly manner.

Table No. (22/a): Summary of the budget for the year 2005⁶⁹(in Million \$)

Income		Expenditure	
Local Income	1,058 (\$)	Running Cost	1,962 (\$)
Local assembly	396	Salaries	938
Transaction	662	Operational	244
Foreign Donations	1'171	Transferable	625
Total Donations	130	Development Cost	268
Total	2229		

⁶⁸ General Board of Information, 30/12/2004

⁶⁹ AFP report, 24/10/2004

Table No. (22/b): Comparison between 2004 budget and the projected for 2005

Indicators	Improvement percentage
Annual Growth	3%
General Income	-1.5%
Population under poverty line	50%
Extreme Poverty	16%
Credit for Private Sector	25%
Banks Deposits	5%
Debts	-10%
Income	27%
Profits	40%
Salaries	17%
Loans	-20%

Table No. 23: Summary of general budget for 1998- 2004 in Million \$

Statement	1997	1998	1999	2000	2001	2002	2003	2004
General Income	1195	1822	1604	1364	1308	1148	531	806
Local income	684	754	901	964	581	581	205	298
Grants and assistance	369	330	235	400	117	578	747	650
Public expenditure	1213	1194	1194	1364	1677	1476	1278	1694
Running costs	818	853	953	940	1089	1096	1040	1444
Developmental costs	393	341	241	423	550	380	239	250
Deficit	159	109	58	Zero	526	328	747	888

With the deterioration of economic conditions under the Intifada, it was not possible to survive without external support that came to constitute 30% of the annual budget. The figure doubled in 2003 and 2004; which means that the per capita support is 320 dollars annually. On the real ground this does not mean much, since individual salaries decreased by 40%⁷⁰. As a result, there were pledges to support the state budget. Belgium promised 20 million dollars, Denmark 10 million,

⁷⁰Nigel Roberts, World Bank Director, July 2, 2003.

Sweden 6 million and the EU 250 million euros. An agreement was signed with the Spanish Foreign Ministry to offer 33 million euros as an assistance that would not be retrieved before 2006. Japan promised to support the PA with 50 million dollars. In addition, the Islamic Development Bank promised, on September 15, to offer 55 million dollars while Israel released 30 million dollars of the withheld funds at the end of October.

On the surface, the amounts pledged to look impressive. However, the Minister of Foreign Affairs declared that there are 760 million dollars from Arab Summit promises that were not forthcoming by the end of October 2004. The actual financial support to the PA budget since the convening of the Cairo Arab Summit in October 2000 until the first quarter of 2004 was around one billion dollars.

As for other Arab assistance channeled through Al Aqsa and Jerusalem funds, 90% of the pledges were forthcoming. There are no accurate figures about the size of such assistance. This has to do with the discrepancy of figures between donor sources and the Palestinian Finance Ministry. It could also have to do with the various channels used by donor sources. However, there is a trend to reduce support to the recurring PA budget.

The Monetary Authority

The World Bank reported that despite all the odds (including breaking into banks and confiscating millions of dollars) the Palestinian banking system went unabated with a remarkable performance. Deposits did not decline reflecting a public confidence in the system. However, attempts were underway by the Zionist lobby in the US to smear the Arab Bank with accusations of transferring funds to terrorists. This was unequivocally denied and condemned by the Arab Bank on July 7.

The slander campaign included cases of Americans murdered by Palestinian attacks claiming 875 million dollars from the Arab Bank. This could be a step to justify the holdup of occupation troops of Palestinian banks, including the Arab Bank.

By the end of 2004, deposits amounted to 4.35 billion dollars compared to 3.96 billion in the previous year. This means an 8.4% increase. Under instructions from

the Monetary Authority, bank investments abroad have increased by 8% to the favor of investments in Palestine. Despite the economic hardships, Jordanian banks including the Arab Bank have the lion's share of deposits with 77.7%. Bank loans to the private sector amounted to 1.04 billion dollars, which is 26% of the deposits. Egyptian banks are in the forefront of supporting the private sector with 65% of its total deposits. The counter figure for local banks would be 49% and the Jordanian banks 19%.

The Monetary Authority was keen to address the issue of faltering private sector bank debts that amounted to 276 million dollars. The emphasis was to activate a fund to deal with such debts. In addition, the authority revealed that there were fake Euro bills in the Palestinian markets (particularly 200 Euro bills). Of more importance was the Monetary Authority's order to freeze the funds of 39 Palestinian charitable organizations through circular no. 4/2004. This was in clear contradiction with the Palestinian Higher Court ruling to release those funds. Furthermore, the authority called upon banks to merge with more powerful conglomerates.

Table No. 24

Banks and its Branches in Palestine⁷¹

Year	No. of Banks			No. of Branches		
	National	International	Total	National	International	Total
1995	3	11	14	14	43	57
1996	4	13	17	20	51	71
1997	8	13	21	29	60	89
1998	9	14	23	40	65	105
1999	9	14	23	48	67	115
2000	9	13	22	52	68	120
2001	10	13	23	58	68	126
2002	10	11	21	59	68	127
2003	10	12	22	60	73	133
2004	10	12	22	62	73	135

⁷¹Palestinian Monetary Authority

Table No.25:
United Budget for the Banks Working in Palestine⁷² (Million Dollar)

	1996	1997	1998	1999	2000	2001	2002	2003	2004
Deposits	1707	2067	2390	2832	3470	3350	3275	3559	3869
Facilities	424	613	822	992	1328	1198	937	1041	1384
Outside assets	1393	1640	1775	2148	2316	2365	2509	2538	2619

Seventh: Justice

The **Ministry of Justice** is disappointed that most of its authorities were withdrawn to the favor of the Higher Judiciary Council. Very little activity was left to the Ministry. It is also expected that the Legislation and Fatwa Department would soon act independently. As a result, the Minister of Justice Nahed Rayyes resigned after getting to a point where there was little he could do on the backdrop of chaos spreading in the Gaza Strip.

The Rayyes had pointed out that the relationship between the Attorney General and the Ministry were severed, since the former considered that his reference is the Higher Judiciary Council and not the Ministry of Justice. He claimed that this contradicts with the procedures prevailing in so many countries with the Ministry being in charge of the Attorney General.

In a significant step along the path of reform, the Ministry announced the inauguration of a department to receive and follow up public grievances related to the judiciary and human rights. The Ministry faces two kinds of problems. One has to do with the public neglect of its existence and the tendency to take the law into one's hand. The other has to do with the role of the Ministry and the prevailing feeling of its marginality. Both problems cripple the Ministry, together with the lack of material and human means.

The Ministry announced starting a new department to deal with corruption in line with the Cabinet's policy.

On the other hand, the Head of the Higher Judiciary Council claimed that he dealt with the delay of issuing the judicial rulings concerning accumulating cases;

⁷²Palestinian Monetary Authority

explaining that the Council started as of January 2004 to implement judicial inspection procedures.

The Legislation and Fatwa Department

Ibrahim Dughma, Director of the Legislation and Fatwa Department, pointed out that there was progress on several fronts in the field of legislation. The draft of two bills were presented to the Council of Ministers concerning the Pharmacists Union and the regulation of handicrafts and artisan with clarification remarks. In addition, a workshop was held to discuss a bill related to the “State Accountability Law.” A package of economic laws was prepared to deal with commerce, companies, maritime trading, and compulsory insurance with relevant procedures. Also, the draft of the civil law and constitutional court law were prepared together with land laws related to regulating buildings and mortgage of movable goods.

Eighth: Labor and Youth

The unemployed in the Palestinian areas, during the third quarter of 2004, were 226 thousand persons (26.8% of the total labor force)⁷³. Reliable sources assert that 57% of Palestinians have a difficulty in finding jobs and 35% have problems to have access to their job places as a result of the Israeli roadblocks⁷⁴.

The PA has a limited allocation of funds for the unemployed within its budget. This is distributed each three months, based on the rate of unemployment in each governorate, accompanied by official documents.

However, there are certain problems in the issue of “unemployment stipends” and the way beneficiaries are selected, as well as the party preparing the lists. One suggestion in this respect was to publish the list of the beneficiaries in the local papers. Clearly, what is needed is to deal with the issue professionally within the framework of the insurance and salaries commission.

The **Labor Ministry** focused on completing the establishment of the job creation/ social protection fund, in conjunction with a number of NGOs. The fund started

⁷³World Bank: Palestinian perspectives to current economic conditions, June 2004.

⁷⁴PCBS

operating following the initiative of the International Labor organization to pump 100 million dollars, as a start. A standard mechanism was adopted to specify levels of employment in the West Bank and Gaza Strip and dealing with the provisional unemployment program. A committee was formed with representatives of the Labor, Finance, Agriculture and Social Affairs ministries as well as trade unions in order to set up criteria for unemployment allocation beneficiaries. There were 80,000 applicants in the Gaza Strip alone seeking jobs or expecting to benefit from the program.

The Ministry completed preparing lists of the unemployed and declared that the number of beneficiaries from the emergency employment program were 26,000 by the end of 2004. In a transparent and objective manner, the lists of the beneficiaries were published in the local papers. However, this did not prevent criticism as a result of certain flaws that required reviewing those lists. It is noteworthy that the rate of women applying for the employment program was quite low (only 6%). At another level, the Ministry presented the Trade Union Law to the PLC for approval. However, some complained that further discussion was needed with the assertion that the Social Insurance Law is taken into account in the implementation process.

The Council of Ministers approved three Arab work accords related to collective negotiations, work with minors and labor inspection. In addition, it celebrated the establishment of the first body of work inspection with 45 persons acquiring the legal know-how in such a field. Also, the first official meeting of the Higher Council for training and vocational education was held.

In a meaningful gesture over the issue of Jerusalem, the Cabinet addressed the issue of unemployment, including it within the policy of job creation.

However, the problems of the **Ministry of Youth and Sports** were aggravated. With the overlapping between two deputy ministers, the ties with the Olympic Committee are also severed. Clubs are in a pathetic shape with a redundancy of sports unions. The Ministry is trying to restructure itself in light of the allegations that it is essentially an “employment depot”, since it gets on its payroll all staff that have no place in other ministries.

As a result, it lacks staff with specialized qualifications. Upon the recommendation of Salah Ta'mari, the Minister of Youth and Sports, the Cabinet referred the issue of

alleged mismanagement and abuse of public funds to the Attorney General. In fact, there are two ministries of youth and sports on the ground. One is in the West Bank with a staff of 282, while the other is in Gaza Strip with 378 people.

The Deputy Minister Ahmad Yazigi asserted that he assumes full responsibility for what appeared in the Minister's report. He added that the Ministry had initiated it for the sake of internal reform and self-evaluation. He also mentioned that distorting the report is based on a wrong reading of its content, since the Ministry has official documents from the General Control Bureau exempting ministries of any financial commitment contrary to what Ta'mari alleged in the General Control report.

In a significant step, the Finance Ministry approved, in principle, to restore the allocation for clubs and sports unions that had been frozen for several years. There were hopes that the "Diaspora" Palestinian football team will qualify for the world cup games in 2006. However, it failed to do so after losing the preliminary games.

Ninth: Freedom of Thought and Expression

The **Ministry of Information** highlighted the continuing Israeli aggression against Palestinians through a number of reports over the losses. It denied, on February 25, allegations of licensing a joint Palestinian/Israeli broadcasting station. The Director of the news agency Wafa announced the formation of a Higher Media Council. The purpose was to deal with the foreign media while avoiding interference in the operation of any information body.

A number of encroachments did occur against the media. On March 2, the editor of Al Nashra Khalil Zaben was murdered in Gaza. The office of journalist Mustafa Sawwal was torched while Sakher Abu 'Own, Zakaria Talmes, Jamal Arouri and Seif El Din Shahin were assaulted. The car of Munir Abu Rizeq, Bureau Chief of Al Hayat Al Jadida in Gaza was also torched while the Turkish News Agency "Ikhlas" was broken into. The same occurred to Al Dari magazine headed by Hasan Kashef, with the damaging of the office contents. In addition, the center for strengthening radio broadcasts in Khan Younes was attacked and the equipment of Al Quds Educational TV was damaged, together with Amwaj radio, Al Sabah newspaper and Al Jeel media center.

As a result, scores of journalists organized a sit-in in the main auditorium of the PLC in Gaza to protest against ongoing encroachments on media work. Arafat declared his full objection of interfering with the media, emphasizing with them whole-heartedly.

Such attacks occur on the background of internal revalues and power struggle for what looms ahead. The PA is not involved in an official manner. However, there are no clear indications whether certain official figures or security officials are implicated in such attacks. Questions arise concerning the attempts to silence the press. In all cases, the investigation files failed to identify the perpetrators. In the case of Jamal Arouri, the file was shut down with a clause calling for compensating him for the damage. The assaults on the press are not confined to journalists but undermine the entire social fabric and violate the right of the society to have access to information⁷⁵.

The Journalists Union in Gaza organized a conference to protest against such assaults calling for protection. It called for the need to impose punitive measures against perpetrators and have open sessions instead of closing up files with the assaults considered “unknown.” In fact the Security Establishments were asked to be queried by the PLC. Calls for the resignation of the Attorney General were made in light of his inaction to exercise his authority over the matter. The Lawyers Union was also blamed for standing idly. However, the journalists in the West Bank are deeply divided over the figures representing their union.

Palestinian journalists working for regional and international satellites refrained from covering the meeting of the Ministerial Council in protest against the attacks on the press that persisted with impunity without any exposure of the results of the investigations. In Gaza, there were also calls not to cover news of demonstrations as a protest measure.

The Israelis also contributed their share in harassing the media, such as⁷⁶:

- The total demolition of Al Aqsa broadcasting station in Gaza on May 2 by an apache helicopter aerial attack, wounding a number of children living in the building.

⁷⁵BZU Development Studies Program poll on Oct. 5 revealed that 57% believed that there is freedom of press in Palestine and 50% that the PA can be criticized with no fear

⁷⁶Human Rights Watch, Middle East and North Africa Executive Director Sara Leotsen declared that there is no justification whatsoever, according to International Law, to demolish the Palestinian media office with three Israeli helicopter attacks during May and June..

- A similar attack happened to destroy the offices of Al Risala newspaper on May 16.
- For the third time running, the Israelis targeted Jenin journalist Ali Amoudi, preventing him from having access to medical treatment on May 16.
- Journalist Dheeb Hourani, Correspondent of the Lebanese Al Manar TV station, was detained since several months.
- Journalists Ahmad Jalajel and Daoud Akila were wounded in Bethany on August 1 as they were covering protests against the wall.
- On August 1, photojournalist Moufid Abu Hasne was detained.
- On June 28, the Al Jeel media office was destroyed by rocket fire in the building that houses CNN, BBC and Al Jazeera. The offices of the German TV ARD and Ramatan for media productions, in the same building, were affected.

The media department of the PLC protested to what was referred to as the brutal attack on Al Quds Educational TV. The attack was conducted by three masked figures that beat up two of the workers and fired at the TV equipment, causing serious damage to equipment.

As for the official media, the Palestinian satellite channel was separated from the Broadcasting and TV Authority. The post of General Coordinator of the Radio and TV Authority was canceled and replaced by the Chairman of the Authority. Following the massive destruction of the Radio and TV building, scores of people are functioning in a pathetic setup with a serious shortage of needed equipment. At another level, Nabil Amr, the co-owner of Al Hayat newspaper survived an attack on July 20 when two bullets were fired on his knee. During the presidential elections, a number of journalists complained of being intimidated by certain candidates in an improper manner.

On the other side, the Ministry of Culture called upon the world to act for the protection of Nablus. It announced that Israel banned the entry of a single book over the last three years. A number of meetings were held to discuss cultural policies. An accord was signed with the Norwegian government to preserve the Palestinian Cultural Patrimony. A number of consuls and European representatives expressed

indignation over Israel's destruction of a number of historic buildings in the old city of Hebron in early August.

Also, the Palestinian prizes for the year 2000 were distributed to 11 outstanding figures. These prizes had been announced for 1997, 98, 99 and then disrupted as a result of the events. The Ministry announced that offering them will resume as of 2005.

Table No. 26
Indictor on freedom of Expression⁷⁷

	West Bank	Gaza	Total
Newspapers	9	4	13
Magazines	14	3	17
Broadcast stations	21	8	29
TV. Stations	31	2	33
Culture centers	45	17	62
Theaters	3	2	5
Cinemas	4	-	4
Mosques	1246	545	1791
Churches	320	10	330
Museums	6	1	7

Women Affairs

The **Women Affairs Ministry** is in the process of restructuring. In addition to participation in a variety of events, the Ministry proposed a three-year systematic plan that would focus on combating poverty among young women and enhancing women participation in decision-making.

A media plan to empower women was implemented including completion on the best production in the field of women. In addition, a memorandum of understanding was signed with the Chief Judge to raise the minimum age of women's marriage to 18.

⁷⁷Source: Palestinian Central Bureau of Statistics, 2004, Cultural Survey Data Base.

The Interior and Civil Affairs

The Ministry of Interior is in the process of implementing the National Security Council decisions to apply the rule of law. The Minister emphasized that there is a policy to deal firmly with all breaches of the law. At another level, an elaborate report was prepared to the Chief of the Egyptian Intelligence entailing all the needs to upgrade the Palestinian Security Establishments.

This has to do with three levels:

- b) Political security involving intelligence.
- c) Internal order involving police and preventing security.
- d) National security.

In order to maintain interaction with the society, the Minister of Interior held a number of meetings with civil society representatives and NGOs such as human rights institutions. Discussions evolved around issues such as legislation, licensing, bylaws and mechanisms of coordination with the Interior Ministry regarding the registration of associations.

On the other hand, a tragic incident in Jalazon camp occurred on January 16 causing the death of three children and their mother who was pregnant as a result of a fire attack. It turned out that the Civil Defense vehicle not only arrived late but also had no water or pumps as reported by eye-witnesses indicating serious problems that need to be learnt from.

The **Ministry of Civil Affairs** denied that there was a policy to withdraw Jordanian passports from Palestinians. From his side, the Jordanian Interior Minister denied that there is a policy to withdraw the yellow cards that allow Palestinians to reside in Jordan. Such issues aroused a lot of discussion and were considered as balloon tests to check the Palestinian reaction.

The **Waqf and Religious Affairs Ministry** sought to stand up against Israeli moves to break into Al Aqsa Mosque and other religious sites. It claimed that the collapse on February 16, 2004 of the path linking the Buraq and the Maghribi gate is a result of Israeli excavations in the area. Attempts by Jerusalem Municipality to bring in Israeli technical teams inside Al Aqsa Mosque to conduct inspections were rejected.

Furthermore, the Ministry was involved in charges and countercharges with the Israelis over the Marwani Mosque and other sites in the Haram area.

External Affairs, Planning and Negotiations

The initiation of a PA External Affairs Portfolio caused some row since there is already the post of Palestinian Foreign Minister. This would cause confusion over who will be the representative of Palestine in regional and international forums. At another level, Palestinian diplomatic missions are confused as to whom they should report, in addition to their chronic expense needs. Many of them are getting old, with some serving for three decades in the same position. Not only there are those who seek to acquire the nationality of the countries where they serve, but there are cases where a mission guard assumes the job of an ambassador based on seniority.

The PA Chairman and the Foreign Affairs Ministry indicated that there are plans to conduct sweeping changes within a reform plan affecting the current 90 missions, bringing the total down to 20 principle missions. The plan includes ending the services of those who acquired the citizenship of the country of residence if that is in violation of the Palestinian law.

The **Foreign Affairs Ministry** sought to urge the EU to launch a “Joint Initiative” to activate the Middle East process. The Minister moved at several levels seeking to halt the building of the Apartheid wall and preparing for the Hague Court. Equally, it acted to provide international assistance to support the PA.

The Ministry announced that it prepared a preliminary report about the needs entailed following the Israeli withdrawal from Gaza. The EU pledged to offer 1.5 billion euros annually, with 250 million earmarked for a number of programs and 65 million to support the PA budget. It reiterated that there will be a major re-shuffling in the Palestinian delegations abroad within the current year.

The Minister declared that an agreement was reached with Egypt to provide political and security support to the PA maintaining internal cohesion. In addition, Palestine became a member in the International Security and Cooperation Organization.

The **Ministry of Planning** held the consultative form entitled “Towards a Palestinian National Plan for Economic and Social Development” with parties

interested in the matter. Also, an integrated human resource development plan was drafted in conjunction with the World Bank seeking to improve services through closer cooperation of the private sector and UNRWA. The Ministry probed into the regional plan for Gaza, listing the developmental needs in the phase following the Israeli withdrawal. Nabil Kassis quit his job as Planning Minister in September 2004 to assume the Presidency of Birzeit University. At another level, the Ministry announced printing the Palestinian passports in Ramallah to facilitate procedures.

The **Ministry of Negotiation Affairs** reported that US officials are pressuring the PA to find out those who perpetrated the bloody attack on an American diplomatic motorcade in Gaza. Failing to do so would undermine the flow of USAID to Palestinians. At another level, the Ministry denied that there were any political conditions attached to support the PA. The Minister confirmed that agreement was reached with the Israelis to hold Palestinian presidential elections in Jerusalem along the same lines of the previous elections that were held in 1996.

The Palestinian Central Bureau of Statistics

The **Palestinian Central Bureau of Statistics** revealed that there were 9.7 million Palestinians by the end of 2003. All kinds of figures and surveys were conducted dealing with Child Labor, Health Services and Youth survey. The Annual Statistical Book for 2003 included reports about settlements and the number of settlers. There was also a survey of living conditions for 2003, which is conducted once every three years. A computer, internet and mobile phone survey was also underway.

Special reports were also issued concerning the Apartheid wall and its impact, as well as unemployment and labor force conditions.

The preliminary report of budget expenditure for 2003 was included in the sixth Annual Statistical Book. A workshop was held to delve into finding out tools to measure democracy, human rights and good governance. The Bureau also started the ninth course within the series of economic surveys, including finding out patterns of family expenditure and consumption.

The Palestinian Central Bureau of Statistics revealed that 41.4% of economic installations in Palestinian areas during January 2003 were in worse shape compared

to December 2003. As such, 24.8% of the directors running those installations expected further deterioration in February 2003.

It was also revealed that the wall crosses 19 Palestinian population concentrations, affecting 101 living zones and 416 thousand people. By the end of February 2004, 270.558 dunams were confiscated with the forcible scattering of 2173 households.

A report prepared by the Public Information Board indicated that 3994 martyrs were murdered from September 28, 2000 until June 30, 2004. Out of this figure 246 were not accounted for due to Israeli measures. It includes 624 children and 223 females. The number of people murdered in assassinations and extra-judicial executions was 396 while 732 died as a result of aerial shelling. Other reports referred to demolished and affected homes.

The Central Elections Committee declared that political parties are welcome to monitor all aspects of the elections starting from vote registration. There would be 1009 registration centers with 90 computer units and a staff of more than 3000.

Strengths

- Service-providing ministries manage to continue providing the basic needs despite the pressure in a remarkable manner.
- The steps to separate certain departments from the Prime Ministry and merging others are bound to improve performance, provided they are coupled with internal reforms.
- Had it not been for the economic crisis, financial performance is improving in a noticeable manner.

Weaknesses

- The situation of the public and private media is pathetic and does not conform to the needs of a society aspiring for independence and democracy.
- Added to the difficulties imposed by Israeli measures, the instability of the ministry and the repeated re-shuffling of ministers add unwarranted burdens.
- Successive minister changes often have negative side effects with possible clashes between the new appointee and the team with various corruption allegations.
- Many ministries still suffer from masked unemployment, negatively affecting performance.
- The situation of Palestinian representative missions abroad has deteriorated severely. This does not merely undermine the image of Palestine but also cuts the role that these missions are supposed to play.
- Instead of the structural changes' improving the judiciary system, they resulted in more unacceptable frictions within this essential sphere.
- Despite some projects to provide shelter for those suffering from house demolitions, there is still a long way to go to deal with this issue and relieve the suffering of people.
- The PLC has become a depot to produce ministers. Often, granting confidence to the government is not based on proper standards but on personal considerations and interests.
- Although there is no official policy to muzzle the freedom of expression, the repeated assaults on journalists and media institutions is alarming and, if not curtailed, has an adverse effect in the democratic process.

1.1.3. Security Establishments

Reforms and Palestinian Security Commitments

There has been a clear decline in the status of security establishments. With the absence of a system to govern the work of such bodies and a binding law, public order had serious setbacks. As such, defining authorities and the relationships between them depended on personal whims⁷⁸.

Undoubtedly, separating areas of Palestinian control into isolated enclaves and other Israeli measures have contributed heavily into such a state of affairs. However, this was coupled with the lack of political will to halt such a serious decline.

On July 17, a presidential decree was issued to merge the Security Establishments into the following three units:

- General Security headed by Musa Arafat, who is also the Head of Military Intelligence.
- General Intelligence headed by Amin Hindi.
- The Police headed by Saeb ‘Ajez.

As a result of the deterioration in public order and cases of people taking the law into their hands causing a number of casualties and property losses, a joint meeting was held. It included the Council of Ministers, the National Security Council and chaired by Arafat. The decisions called for an immediate deployment of uniformed police and imposing the rule of law.

As a result, uniformed soldiers with their vehicles were seen on the street. However, the fact that they carried no weapons and did not confront Israelis who repeatedly invaded Palestinian areas raised questions and allegations that there is a certain understanding with the Israelis over such matters.

The situation of the Security Establishments raised a number of questions vis-à-vis the reform involving restructuring and merging various units. This happened

⁷⁸Najah University polls indicated that public assessment to the performance of Security Establishments, early in the year, was medium, 58% on Jan. 20 and it deteriorated to 28.5% by July 20.

on the background of violence involving kidnapping and armed skirmishes with leading symbols of the security forces. Some tendered resignations in the light of the inability to deal with the situation or not to be implicated in the unfortunate events. At another level, there was a trend to resort to arms by common people to settle accounts, compete or deal with different factional approaches on how to deal with the issue of collaborators.

The Security Establishments were involved in certain controversial activities such as handing in to the Israelis 10kg of explosives that have been found. There was also the case of charging those who were allegedly involved in murdering the three Americans. Arafat's advisor on national security declared that the US threatened to give up on the peace treaty and halt all aid if the perpetrators of the attack on the US diplomatic motorcade in Northern Gaza were not caught.

Clearly, the Palestinian security apparatus is in need of retraining. However, it all depends on what the objectives are. Does it have to do with responding to US and Israeli interests to play an oppressive security role? Or does it emanate and depend on a Palestinian agenda? The difference between the two is so significant. However, there are clear indications that Israeli policies have been undermining Palestinian efforts with the objective of weakening the latter's prestige and evoking internal interest⁷⁹.

An announcement was made about the deployment of Joint Central Forces (with 750 strong) in Gaza to assume control and impose public order. The Head of the Preventive Security Forces in Gaza declared on November 27 that the special protection unit known as the "death squad" is disbanded with its members distributed in other security units. In addition, 45 officers were enrolled in a special training program. Merging the various security establishments will not be an easy task in the process of putting the house in order.

⁷⁹Palestinian Intelligence uncovered a number of sensitive bugs and hearing devices that were planted either before evacuating buildings in 1994 or during incursions. Search is underway for more such intelligence devices, Maariv, September 19.

Table 27:**Deaths in Palestinian Detention Centers during according to 1994 – 2004 ⁸⁰**

Year	Gaza	West Bank	Total	Percentage
1994	1	0	1	3.2 %
1995	4	5	9	29 %
1996	1	2	3	9.7 %
1997	2	4	6	19.4 %
1998	0	2	2	6.4 %
1999	0	1	1	3.2 %
2000	0	1	1	3.2 %
2001	3	2	5	16.1 %
2002	3	0	3	9.6%
2003	0	0	0	0
2004	0	0	0	0
Total	14	17	31	100 %

Table 28:**Deaths in Palestinian prisons according to the Security Apparatus 1994-2004**

Apparatus	Gaza	West Bank	Total	Percentage
General Intelligence	5	5	10	31 %
Preventive Security	2	6	8	25.8 %
Military Intelligence	3	3	6	19.4 %
Crime Police	3	2	5	1.5 %
Naval Police	0	1	1	3.1 %
Force 17	1	0	1	3.1 %
Total	14	17	31	100 %

⁸⁰Tables are quoted from the list of deaths in Palestinian Prisons, the Palestinian Group for Observing Human Rights

Table 29:**Duration which detainees spent from their detention date to death date**

Duration in days	Number	Percentage
1-3	9	29 %
4-14	8	25.8 %
15-30	3	9.7 %
More than a year	11	35.5 %
Total	31	100 %

Internal Security

The Security Establishments seem to be in trouble for failure to keep order and restrain lawless incidents. What makes matters worse is the involvement of security figures in such violations.

Skirmishes started in Gaza with armed Palestinians breaking into the office of Colonel Ghazi Jbali, the police chief and, following verbal exchange, fire was opened resulting in the killing of a policeman and the wounding of 11 others. This event was followed on July 16 with the kidnapping of Jbali himself by Al Aqsa brigades that claimed interrogating him for corruption and bribery. Earlier, on April 29, an explosive was placed at the entrance of Jbali's home demolishing part of the house.

Also, the Head of the Gaza Military Liaison Colonel Abu El Ala was kidnapped and later released as was the case with Jbali. However, the chiefs of the Preventive Security, General Intelligence and Maritime Police in Gaza have all tendered their resignation. Although a state of emergency was declared in Gaza, the headquarters of the Military Intelligence was torched after two days wounding 18 persons. Al Aqsa brigades, on their part, shut down on October 19 the PLC office and the income and value added tax in Jenin in protest of the PLC and Finance Ministry's position vis-à-vis the families of the martyrs. They were calling for a more serious way in handling the rights of the martyr families.

Meanwhile, protests erupted following Arafat's decrees appointing a number of

functionaries such as Musa Arafat as Police Head in Gaza. FATAH supporters and its offshoot Al Aqsa brigades called for his dismissal because of corruption. In fact, Musa Arafat survived an assassination attempt on October 12.

Kidnapping incidents and protests including armed skirmishes were not the only features of the deteriorating situation. There were open steps by certain FATAH-related groups to take the law in their hands such as banning the UN envoy Tjere Rod Larsen from stepping into PA areas. There were also threats to any Palestinian that should meet the UN envoy anywhere else. This was a clear trespassing on the prerogative of the President or Prime Minister. Another incident involved with shooting at PLC member Nabil Amr while he was in his house on July 20 causing him injury.

There were additional incidents involving attacks on PLC offices in the central governorate, and shooting near the office of PLC Deputy Speaker Ibrahim Abu Naja, destroying furniture and assaulting people inside. A similar incident occurred on the FATAH office in Breij camp and the attack on the office of PLC member Jamila Seidam. Explosives were thrown on Al Sabah weekly magazine in Gaza. A young man was killed with his 10-year old brother wounded as a result of a quarrel in Ramallah. A Jericho prison warden opened fire on May 28 towards a detainee who was attempting to flee from the prison.

In fact, the Chief of the General Intelligence resigned for failure to maintain public order. In another incident, 40 members from Al Aqsa brigades took control of the radio and TV support station east of Khan Younes demanding PA jobs. On March 17, a civilian was killed and another 21, mostly Palestinian security members as a result of yet another “regretful” incident in clashes with HAMAS in the center of Gaza city. In addition, detainee Awni Abu Sa’id was killed inside Gaza’s central prison raising the issue of torture and harsh conditions in prisons, as the Justice Minister conceded. There was also the case of 130 officers and soldiers organizing a sit-in in Gaza demanding the improvement of their lot. They dispatched a letter to the President complaining from the lack of communication equipment and the transformation of security units into personal extensions of certain officers. The complaint included keeping on officers after retirement age.

Not much has changed in the status of Security Establishments other than the increased friction amongst it. The departure of Arafat evoked fears that an internecine

fighting is likely within the 13 different security departments. In fact, there were armed skirmishes between the Military Intelligence and the Preventive Security forces. This came a few days after the survival of the Military Intelligence Head from an assassination attempt.

Along the same line, firing occurred in Arafat's bereavement tent while Mahmoud Abbas was there. Two security people were killed with a serious friction between those who broke in and the security of Abbas. The incident was contained claiming that it was merely a result of overcrowding in the place. However, the issue had to do with differences between Intelligence and National Security Commander in Gaza Musa Arafat and Head of the Preventive Security Rashid Abu Shbak, as well as Muhammad Dahlan and Musa Arafat. Reconciliation was reached by the latter in two sessions on September 3 and September 19 with the intervention of Abbas. It coincides with Prime Minister Ahmad Qurei' assuming the post of Council on September 17.

The lack of personal security loomed ominously with all kinds of criminal incidents. Some assumed that organized crime rings were around. Scores of people were killed over vengeance cases. Police statistics revealed that there were 735 murders and 526 attempts of deliberate killings in the period between the beginning and mid of 2004. In fact, in the year 2000 there were 52 crimes multiplying to 113 in 2003. By mid 2004, there were 54 such crimes. However, the police strongly deny that there is organized crime in Palestine.

Within the charged atmosphere, there is a clear trend towards increasing violence and criminality. As an example, Yaser Madhoun, the Azhar University Lecturer in Gaza was murdered in his office as a result of booby-trap. A school principal was repeatedly stabbed in front of her students. A child was hijacked for three weeks. Armed men broke into a Nablus police station, took out two detainees from their cell and executed them. In response to such a decline, a number of demonstrations occurred with or without funeral rites of victims with the public demanding public order and the imposition of the rule of law. However, there were some police successes here and there.

The chaotic conditions acquire more significant importance in light of the pending unilateral withdrawal from Gaza. Despite the assertion of a taboo, the likelihood for possible clashes is not totally far-fetched.

To cope with such an eventuality, the National Security Council decided to establish two operation rooms in Gaza and the West Bank with representatives of all security departments. Contact was done with all political factions with the purpose of preempting any decline of public order.

The Security Establishments did achieve certain successes at several levels. For instance, they discovered the antiques found by a group that conducted illegal excavations. The Bethlehem police arrested a four-person ring faking money, headed by a painter. The four perpetrators of the rape and murder crime of the pupil Mayada Abu Lamtha were caught. They also confessed to the killing of police informer Yasar Salah a couple of years ago.

The Palestinian situation is the outcome of accumulation over the years. It has to do with the prevailing conditions prior to the PA. Activating the security establishments and taking control effectively needs a clear vision and mechanisms that are bound to secure a proper system.

Collaborators

Jibril Rajoub, in his capacity as Member of the National Security Council emphatically denied that there is an understanding with the Israelis to let alone those who are implicated of contacts with the outside, particularly Israel. He insisted that the PA is keen to bring any such suspects to trial. In line with such a policy, the General Intelligence was in the process of interrogating 15 collaboration suspects, in addition to 25 others that had been questioned. A number of suspects in Gaza were rounded up for possible involvement in the assassination of Palestinian leaders. Intelligence sources revealed capturing two collaborators who admitted involvement in tracing the movements of HAMAS leader Abdel Aziz Rantisi in the first assassination attempt injuring instead the martyr's son.

On March 15, the Preventive Security announced rounding up 140 collaboration suspects with Israel. Between September 28, 2000 until early April 2004, 11 suspects were prosecuted with 10 of them receiving the death sentence. Four of these were actually executed with the others awaiting presidential approval.

The Al Aqsa Brigade executed by fire a collaborator in Tubas on July 2 following his confession of links with the Israeli Intelligence. Another suspect involved in

the murder of Sheikh Ahmad Yasin was executed following his written confession by the Qassam Brigades. There was a similar case in Al Am'ari camp. HAMAS elements broke into a Gaza prison with the purpose of murdering collaboration suspects. So far, the Security Establishments did not manage to deal with such incidents effectively.

Strengths

- Despite the remarkably harsh conditions and Israel's recurrent incursions, with all kinds of assaults, the Security Establishments managed to assert its presence, even at a bare minimum.
- Complying with fiscal reforms regarding the salaries.
- Clear efforts in tracking crimes of a civil nature while failing badly when it comes to politically-motivated crimes.
- The trend to merge the establishments into three forces only.

Weaknesses

- Increasing prestige erosion in light of chaotic conditions with internal divisions among the various players.
- Internal frictions within the Security Establishments have become unbearable. If this is not handled, the basic credibility will be severely undermined.
- Political assassination incidents that resulted in deaths and injuries is a serious phenomena that aggravates, particularly when the perpetrators are not found.
- Clear indifference towards those who take the law into their hands disregarding security and judicial departments.

1.1.4. Local Government

Palestinian local bodies face so many complications as a result of Israeli policies of closure and the Apartheid wall.

Drastic steps are needed to rectify the situation that has made havoc out of infrastructures and agricultural lands.

On the other hand, the Higher Regulating Council of the Local Government Ministry approved expanding the zones of a number of towns and villages. Around 105 million shekels of the PA budget were earmarked for local councils. There is still a need to regulate the mechanisms of distributing such funds. With Japanese support, an agreement was signed to implement 18 projects at a cost of 12 million dollars in various spheres. Focus was placed on the water problem when the Minister discussed the issue of unpaid refugee water bills since 1996 with the UNRWA Director of Operations. On the same issue, the Minister met the head of the Water Authority to unify the water tariff in all areas. It is noteworthy, in this respect, to refer to the Emergency Local Council Support Project supported by the EU to the tune of 30 million euros, which was added to the 20 million dollar World Bank projects.

President Arafat issued a decree on May 24 to form a committee for local council elections. This is the first time that this happens since 1976. The first phase of the elections included 26 local councils in the West Bank on December 23 and 10 in the Gaza Strip on January 27, 2005.

The issue of including or excluding refugees in local council elections surfaced. Two divergent positions emerged. One called for refugee participation since it does not undermine the right of return with the assumption that improving living conditions does not contradict with refugee rights or the mandate of UNRWA. The other approach rejected based on the position that the camps are under UNRWA jurisdiction. This approach reflected inhibitions that the elections could be linked with settlement and integration of refugees.

Procedure and ground rules related to elections such as campaigning, protesting, monitoring and so on were clearly specified. The Head of the CEC announced that 143,921 voters will participate in the first phase to elect 886 candidates to fill up 306 local council seats⁸¹.

⁸¹Polls revealed a low level of satisfaction, prior to the elections, from local councils – ranging from 13 to 9.5% as was revealed by Al Najah University, July 20.

The election process proceeded smoothly. Monitors confirmed that it occurred in a free manner with minimum violations. Occupation forces interfered by detaining five of the Hebron district candidates. The Minister of Local Government and the CEC Head formally announced the election results on December 26. The first phase of the elections was described as a prelude and a model for the forthcoming presidential elections. However, a number of comments can be made concerning these elections:

- a) Transparency and freedom were prevalent with no significant complaints or claims as to the fairness and compliance of the process. Turnout, which reached 81% of the voters, was beyond all expectations.
- b) The Local Council Elections altered the previous form of appointing nominees from one political color. Although the spirit of nepotism is deeply entrenched in the formation of candidate lists and voting patterns, the floor was open to have an authentic pluralistic setup.
- c) There was a controversy over whether the election results reflected political or merely service-oriented implications. Both FATAH and HAMAS claimed victory (with FATAH getting between 54 and 65 percent, and HAMAS between 23 and 24 percent). However, there was a heated debate as to the outcome between the two major groups. The secular democratic current was noticeably absent, reflecting the balance of forces on the ground.
- d) Women participation was impressive with more than 17% of the seats allocated to them, thus coming close to the 20% quota to be stipulated by the PLC legislation. Women participation in voting reached 4%.
- e) The police, CSO and print journalists assumed a balanced and non-partisan stands with a sense of responsibility and the respect of law.
- f) There were six detainees that were elected, as a sign of appreciation to their sacrifice.

On April 16, the Mayor of Khan Younes was elected as the Head of the Union of Palestinian Local Councils to replace the Nablus Mayor that resigned from the job.

The Local Council elections were held on December 23 involving 26 West Bank local bodies. It occurred smoothly in a fair atmosphere and the results endorsed by

all relevant parties. This was the first time that municipal elections take place since 28 years and the first time ever under the PA. Various political currently participated with a turnout of 81% and 887 candidates (of whom 139 are women) competed to fill up 306 seats (with 50 of them being women). The second phase is held on April 28 involving 55 councils, out of which eight are in Gaza.

Michel Rocard, the Head of the European Observers of the Palestinian Local Elections described that the way elections went was by far smoother than deeply-rooted democracies such as the UK and France. He also mentioned that this is a unique case where it occurs under the PA with an Israeli military occupation.

Jerusalem

Plans to Judaize Jerusalem are underway. With the construction of the wall, the city has become more and more isolated. With the systematic racial policies, it is more like a besieged ghetto with ongoing land confiscation.

During 2004, 176 houses were demolished and the settlers managed to take control of 33 other buildings⁸². More than 7000 ID cards were cancelled, during the occupation years, which means depriving 7000 families from residing in the city and actually expel them.

The Apartheid wall coincides with a new city master plan that was announced on September 13. The plan, which is the first since 45 years, strips off 28 villages and neighborhoods. It forecasts the character of the city by the year 2020. One of the aims is to reduce the current rate of the Palestinian population from 33% to 27% in 2020 instead of the projected 40%. Israeli projects propose to exclude a number of neighborhoods from the city zone in order to get rid of 90 thousand Jerusalemites out of the actual 254 thousand⁸³.

At another level, the PLC passed by third reading the “Law Concerning Jerusalem as Capital.”

The construction of the wall means circling East Jerusalem with cement structures that are four to eight meters high with an 84km length. The plan separates the

⁸²Lands Research Center, Arab Studies Association.

⁸³For further detail: Annual book, PCBS

actual 403 thousand residents of the Jerusalem governorate to two sections with 150 thousand left outside the wall. The main roadblock in the north would be similar to international borders that cannot be crossed without permits. The path of the wall is a shameful encroachment on human values and the city's heritage. It separates the north/south highway that has been the historic royal route between Asia and Africa. It certainly is a shameful stigma.

The WHO sent a fact-finding mission to detect the impact of the wall on health and economic conditions. Certainly, there is a need for UNESCO to dispatch a mission to assess the damaging effects on human heritage.

There are two other issues related to the old city. One has to do with a plan prepared by Mayor Uri Lubiansky to expel Palestinians with generous offers for Arabs to leave. The other has to do with the policy of restricting Muslim worshippers to have access to Al Aqsa Mosque. This culminates during the month of Ramadan that fell this year on November 14. The Israeli authorities usually resort to one of two ways to prevent worshippers from getting to the Mosque.

a) To wage a psychological warfare claiming that the Marwani prayer area below Al Aqsa could collapse over thousands of worshippers. As such, Sharon issued his instructions to prevent the "Great Catastrophe." In response, the Islamic Waqf dismissed all such allegations assuring that the area is completely safe and Israeli claims are unfounded. Knesset Member Abdel Malek Dahamshe commented that the main danger comes from the Israeli side. In fact, Sharon's provocative visit in September 2000 is part of the attempts to take control of the area to destroy the Mosque (Al Quds, September 96). Also, undercover detectives broke into the Marwani prayer area on October 3 to observe the procedures within.

b) Banning worshippers from access to Jerusalem. A decision was taken to limit worshippers in Al Aqsa to 50 thousand only instead of the usual quarter of a million. With the deployment of 400 security forces at all city entrances, even worshippers coming from Israel properties were banned. As a result, only 30 thousand could make it for the October 15 Ramadan prayer, compared to 250 thousand in the preceding year. Despite that, a quarter of a million showed up in Al Aqsa in Lailat Al Qadr on November 9 (the night in which the Koran was revealed; celebrated during the 26th and 27th of Ramadan).

Of no less importance is the increasing pace of threats by extremist Jewish groups to the Aqsa. On April 8, there was an attempt to launch a Lau rocket attack on the Mosque but failed to hit the target. This followed the Israeli police attack on casualties. There was talk that taking over the “Temple Mount” is only a matter of time⁸⁴. However, some Israelis warn about the catastrophic repercussions that such a plan could have and the counter-productive results⁸⁵.

Assaults by Israeli extremists were not confined to Muslim shrines. A group of them attacked on October 10 the Armenian procession inside the old city, stripping off the cross of the Bishop and throwing his headgear on the floor.

⁸⁴Alex Fishman, Yediot Ahronot, Nov. 26.

⁸⁵Nadav Shraga, Haaretz, Dec. 21.

Strengths

- At long last, the first phase of the long-awaited local council elections were held. This is a positive step, and we are looking forward to the completion of the forthcoming phase.
- The local elections were conducted in a fair manner as confirmed by all, thus setting the ground for democratic practices.
- Before completing local council elections, the case of Jerusalem as a capital needs to be addressed.
- Credit should be given to the selected local councils that managed over the years to operate under harsh conditions trying their best to provide services to the public.
- The prominent role attached to women participation in these elections is also a watershed.

Weaknesses

- With hundreds of unseasoned candidates being voted in, it is likely that unexpected mistakes would occur. To limit that, efforts are needed to upgrade the competencies of those candidates.
- Following the local council elections, there is a need to establish regional councils to coordinate services. This issue has not been addressed during the last years.
- The local council budget allocations are extremely limited and fail to respond to the basic needs for proper performance. Smaller councils suffer most from this.
- Despite the Oslo Accord restrictions on the PA in Jerusalem, little is done outside the framework of the accords.
- The deterioration in the status of roads needs to be mentioned together with the need to upgrade public utilities.

1.1.5. General Control Bureau

In light of the reform policies, the General Control Bureau needs to start a new chapter by presenting the quarterly and annual reports to the PLC as stipulated by the law. This would enhance transparency and credibility in the operation of PA institutions and fiscal policies at various economic and social spheres. After publishing the first report in 1988, the Bureau has not come up with any report. Supposedly, it reported to the President without any information getting out. The purpose of the Control Bureau is to expose mismanagement in order to improve the situation. Falling into a routine circuit with no dynamism is bound to exacerbate matters.

Strengths

- There is no positive element in the General Control Bureau other than mentioning that it exists somewhere.

Weaknesses

- Lack of clarity of what the Control Bureau does. It is isolated and invisible as to the content and results.
- The *raison d'être* of the General Control Bureau is to come up with reports to be scrutinized and discussed. The PLC, which is the party to do that, is totally in the blue regarding the content of the reports, if they exist in the first place.

1.2. Legislative Authority

1.2. 1. The Legislative Council

The PLC held the ninth term on March 10, 2004. Rawhi Fattouh, the FATAH candidate and Minister of Agriculture won by a majority of 61 votes compared to the 15 votes of Nabil Amr. Opposition PLC member Hasan Khreisheh was elected as Deputy Speaker. This evoked some controversy implying that the FATAH Bloc voted for their Speaker and to the opposition as Deputy Speaker. Anyway, FATAH maintained its majority.

With the convening of the first session of the ninth term on March 30, the PLC was actively engaged in all issues of concern to Palestinians. However, this is not enough. Evaluating the performance of the PLC in seeking accountability, combating corruption and favoritism as well as the daily confrontation with the occupation is not sufficient. For the public, demanding the PLC, the Minister of Justice and the Attorney General to fulfill their role or requesting the Executive to investigate and take action is not the end. Such a “missionary” type of calls could be also performed by an NGO. What is needed is for the PLC to assume an effective role. In this respect, member Naser resigned from the position of PLC Secretary on October 24 in protest of what he described as inefficiency and the Council’s abandonment of its role and mandate.

Early in the year, the 2004 budget was approved with a vast majority. The government was given one month to come up with a concrete plan to deal with unemployment.

PLC members demanded exercising the right to legislate, monitor and be accountable*. However, members implicated in corruption stayed on. Instead, the Attorney General must have investigated the charges, regardless of their position. However, the PLC referred the issue to President Arafat, who accepted the resignation of the government and the formation of a new one in response to the eruption of events in Gaza. Some members suggested suspending PLC meetings for a month and others felt it should be until their demands are met.

It is noteworthy that the Israelis tightened their harassment of PLC members especially in their freedom to move and convene. Repeatedly, no permissions were granted to travel abroad for workshops or meetings. The ID card of Hasan

Khreisheh, 1st Deputy Speaker was confiscated. From his solitary confinement, Marwan Barghouthi announced on September 7 ending his 25-day strike in response to the appeal of the detainees and the PLC. On March 15, the Israeli Military Court held a special session to look into the case of PLC member Husam Khader who completed his first year in detention. Demands for the release of the two PLC members persisted.

Also, the Prime Minister presented his quarterly report in special PLC sessions.

The PLC decided to suspend public sessions for a month starting from September 7 in protest against the PA's non-compliance with the agreed reforms. It insisted on the need to endorse decisions approved by the Council⁸⁶. As a result, four out of eleven bills were endorsed by the Executive. The legislators warned that they will block confidence from the Qrei' government in case it does not respond positively to the PLC decisions by October 7. The legality of suspending sessions as a protest measure was questioned and criticized by several parties. However, the Council accepted to grant the Prime Minister the time-limit needed to prepare the final report dealing with a number of issues of concern to the PLC. Actually, 23 members supported granting the respite while 15 were against.

The PLC formed what came to be known as the Committee of the 13 to follow up with Arafat the PA's commitment to the Reform Chart that was approved in mid-May 2002⁸⁷. The tasks of the Committee were specified in the implementation of approved decisions. A period of one month was set to fulfill the job. In case this does not occur, the PLC was to hold a special session to take measures to ensure the implementation of its decisions.

The PLC set up specific conditions on the PA on both the political and security fronts. It included the need to involve political forces within the system, setting up dates for elections, merging security establishments, presenting a bill specifying all what has to do with these establishments. A parliamentary committee was also formed to follow up the case of the assault on PLC member Nabil Amr.

⁸⁶Public satisfaction on PLC performance was 57% in March (Najah University poll). It declined to 27%, 21%, 30% in polls conducted on July 20, Sept. 20 and Sept. 30, respectively. The rate of those who will vote for incumbent members was no more than 13% (Al Najah, Jan. 20).

* The PLC takes a break between Aug. 1 and Sept. 3 as an official vacation. Since the winter term starts on Oct. 1, the suspension is, in fact, only one week

⁸⁷Committee members include Abbas Zaki, Azmi Shuaibi, Jamal Shati, Hanan Ashrawi, Dalal Salameh, Jamila Seidam, Fakhri Turkman, Freih Abu Medden, Ghassan Shak'a, Sa'di Krunch, Imad Falouji, Jalal Musaddar, Hatem Abdel Kader and Muhammad Hourani.

The PLC session on August 25 was significant when the Committee of the 14 presented its report that has been fully endorsed. Confidence in the PA was renewed with 31 members for, 12 against and one abstention calling for exercising the mandate based on the Basic Law in ensuring public order.

It is noteworthy that most speakers were opposed to the report. Only three members spoke in favor, two of them being minister and the third a member of the parliamentary committee. Observers during the session expected blocking confidence in the government. However, this was not the case. Prior to discussing the report of the 14, the speaker read a letter from Arafat assuring attachment to the rule of law, combating corruption and reforming the security establishments.

Around 20 PLC members criticized the report; claiming that it “institutionalizes corruption.” Some considered that it contravenes with the Council’s recommendations that formed the committee in the first case. There were calls to block confidence. However, the report indicated that Arafat had accepted most of the demands related to the following:

- a) **The Security Situation:** Arafat accepted that this falls within the direct responsibility of the Prime Minister and the Ministry of Interior in controlling the Preventive Security, the Police and Civil Defense.
- b) **The Reform Chart:** Arafat approved the request of all relevant parties to implement all what was mentioned in the May Chart, each within its own jurisdiction.
- c) **Corruption Files:** Arafat also approved to assign the Attorney General to assume responsibility in handling all corruption cases referred to him from the PLC or the PA.
- d) **Security Establishments:** The President issued instructions to the Legislation and Fatwa Department to speed up the bill regulating the functioning of the Security Establishments to present it for approval by the PLC.

The pending issues were:

- a) The future of various authorities, bodies and departments attached to the Presidency. Which of them would be cancelled, merged or linked with a given ministry.
- b) Compliance of the Personnel Department with the tasks stipulated in the Civil Service Law. The President viewed that this Department is within his authority.

- c) Dismissing the Head of the Monetary Authority and re-shuffling its board. Concerning the PLC request to approve the appointment of the Authority Governor, Arafat responded that this is a prerogative of the President and the PLC has no right to interfere in this matter.
- d) The issue of regulating the Land Authority through a law or attaching it to the Finance Ministry as well as organizing the state of state lands.
- e) The PLC members' assuming executive functions, other than the ministers. Also, the cancellation of posts of authority heads, bodies and advisors.
- f) Three corruption files related to Cement, Monetary Authority and Transport Ministry were referred to the Attorney General. However, there were discrepancies as to how to pursue the matter and what would happen with other corruption cases.
- g) Issuing bylaws regulating the Security Establishments falling under the Authority of the Interior Ministry, provided this does not clash with the bylaws of the PLO concerning these forces.

Elections

The Palestinian elections were first held in 1996 based on improvised procedures with no previous experience. With the possibility of reviving such an experience after eight years, there was a need to update the system to fill up the gaps. As a result, the CSOs came up with specific suggestions towards adopting a mixed electoral system that would be partly based on precinct division and partly on proportional representation of the districts. The objective was to overcome tribal restraints and enhance the chances of political parties taking place in the elections. Furthermore, there was a need to take into consideration contemporary trends in democratic elections.

When the elections bill was discussed through several sessions held in November and October, there was confusion and hesitation as to the direction to be taken. Some PLC members claimed that such a law cannot be drafted before passing the parties' bill. Others claimed that there was unwarranted pressure that would create havoc in parliamentary life.

On September 4, President Arafat launched the voter registration process when he

handed in his passport and he received an election card. A total of 1009 registration centers were opened in all districts. However, the process had many impediments resulting from Israeli measures, particularly in Jerusalem where the centers were shut down and personnel detained. By October 15, 67% of the eligible voters had registered. Despite Israeli permission to allow late registration of voters and a few additional voting centers, measures were taken to curtail campaigning including tearing apart pictures of candidates and arresting people involved in the campaign.

Preparations were underway to conduct presidential, legislative and local council elections based on decrees issued by Arafat. However, the death of the President on November 11 called for holding the presidential elections within sixty days, as stipulated by the law.

With the immediate moves to transfer authority smoothly, FATAH had to nominate its candidate. This was not an easy task. Not only because there was no one to fill the gap left by the late President, but also due to diverse attitudes to the type of replacement. Eventually, the choice was Mahmoud Abbas. This was not only due to his position and record in the leadership echelon, but also a result of local, regional and international considerations. Abbas had the best chances to bring tranquility and resume the political process. As such, he received two thirds of Palestinian support.

However, there were arguments concerning the figures and proportions of representation. Some PLC members were using that for procrastination and delaying the passing of the law. As a result, the five secular factions (PFLP, PDFLP, FIDA, People's Party and the National Struggle Front) failed to agree on a common ground. FIDA and the National Struggle Front came out in support of FIDA while the PDFLP and the People's Party came up with their own candidates. The PFLP, on the other hand, decided to support Mustafa Barghouthi, who was running on an independent list. The situation reflected the crisis facing the political factions. Instead of nominating its own candidate, the PFLP supporting the most likely second runner after Abbas, even if he was far from its political platform. It was a utilitarian step reflecting the failure of the opposition to influence matters. In fact, the results of the local council and the presidential elections undermine, in the first place, the mere existence of such factions.

The divergences in approving the law explains the move by the FATAH bloc to procrastinate the discussion. There were, mainly, two positions. The first involved members who sought to return to the old law with minor amendments according to the plan presented by the Abu Mazen government before resignation. The other supported the amended law backed by the Revolutionary Council and the young guard. In fact, the Revolutionary Council that supported, in principle, the amended law, recommended the hesitant Central Committee to endorse it. The dispute, in essence, has to do with the system of proportional representation and whether it is done on the basis of half and half or with individual precincts getting the lion's share (60-70%).

The alibi for most FATAH members is that they would lose control of the Council in case the amendment is done to attach importance to proportional representation. The prevailing feeling is that the Palestinian political system would be the loser in case proportional representation with lists is not endorsed. It will dissipate the role of small factions and weaken political participation. In the final analysis, the issue of a mixed system is of concern to the factions and is a problem to FATAH and the PLC members.

At another level, the issue of voter registration evokes a lot of controversy with no definitive way out. It falls at the core of the election process and needs to be effectively addressed. In addition, there is the issue that has been neglected, so far, due to several reasons having to do with Palestinians voting abroad. Ultimately, this is an issue that needs to be addressed since the West Bank and Gaza Strip do not represent the entire Palestinian people.

Controversy surfaced between the PLC and the CEC over endorsing the civil list as a basis for voting. The CEC made it clear that this undermines the whole principle of voter registration. However, the PLC prevailed in putting aside the process of vote registration that took the CEC one year to prepare, opening gaps in the election process.

Following the death of Arafat, steps were taken for a smooth transition of power, including the arrangement of fair presidential elections.

Palestinian Elections: A Sign of Hope

Timothy Rothermill*

Headlines proclaim opportunities in the Israeli Palestinian conflict following the death of Palestinian Authority President Yassir Arafat. Probably the most prominent stories have dealt with Palestinian elections which, in accordance with law in the case of a Presidential vacancy, must take place within sixty days. And in fact a Presidential election is scheduled to take place on 9 January 2005. In all likelihood, elections for the Palestinian Legislative Council and Municipal elections will follow later in the year. There are even signals from Israel that Palestinians living in East Jerusalem will be permitted to vote as was the case in 1996 in spite of the earlier confiscations of their registration data.

For those who have worked over the years helping Palestinians to strengthen their public institutions, the fact that the machinery is in place to carry out elections, as well as to provide other services expected of an efficient and democratic government, comes as no surprise. In fact elections considered free and fair by the international community were carried out by the Palestinian Authority in 1996, and it remains one of the handful of governments in the region with a democratically chosen Head of State. The development of these institutions has come about in spite of occupation, an economy in a downward spiral and the deaths of almost 4000 Palestinians and over 1000 Israelis which have captured headlines over the past four years.

Insofar as elections are concerned, 67% of the Palestinian voting population were registered during a voter registration drive (in spite of the East Jerusalem disruptions) which took place in September and October 2004 – a far higher percentage than in virtually all countries in the region, none of which are under occupation; higher than in several long established democracies in Europe; and about the same as the United States. While registration is important and demonstrates, yet again, the capacity of Palestinian institutions and the democratic will of its people, whether Palestinians are actually able to vote come 9 January and later will depend on their unfettered mobility and lack of intimidation in reaching the some 2400 polling stations that

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will be available, as well as the ability to conduct political campaigns.

But it was not within the past few weeks that electoral machinery has sprung into life. As part of the Palestinian's own reform process which was started in June 2002, electoral reform has been high on the Palestinian public agenda, and in October 2002 a highly respected Central Elections Commission (CEC) was appointed by Mr. Arafat. By the time of his recent death, not only had the voter registration process already taken place, but also the CEC had a staff of some 300 and established its Headquarters Office in Ramallah, a Gaza Regional Office and 16 District Electoral Offices. It had begun the training of some 14,000 registration and polling staff, launched a public outreach and voter education campaign, developed expertise in information technology for voting security and had data processing machinery in place.

While campaigns and elections themselves are newsworthy whether free and transparent or otherwise, free elections would not be again taking place in Palestine without the less glamorous but essential work that has taken place over the past two years, implemented by Palestinians with assistance from the United Nations Development Programme with the financial support of Japan and Canada and the expertise of the United Nations Electoral Assistance Division as well as others. Only weeks after the CEC was appointed, it was UNDP that provided and furnished the CEC offices, contributed experts - international, and expatriate Palestinians and national - and provided for the employment and training of key CEC staff. Systems for registration, vote tabulation and data entry were put into place as well as mechanisms for observer accreditation and voter education. UNDP will also be responsible for establishing and operating a Liaison and Support Unit for International Electoral Observers for the upcoming Presidential elections. And in short, if voters are not inhibited from voting, the January Palestinian elections can be expected to be a model of transparency and democracy.

The international spotlight that is now turning to Palestinian elections will hopefully demonstrate to many what those who have been privileged to work with the Palestinian people have long known: if only given a fair opportunity, Palestinians have the resolve and capacity to make their new sovereign state a model of vibrancy, democracy and leadership that stands out in the region.

Women's Quota

The issue of the women's quota in the PLC and the local councils was widely discussed throughout 2004. In a stormy session on July 7, the PLC failed to pass an amendment allocating 20% of the seats to women. Opponents argued that this contradicts with the principle of gender equality as well as the Independence Declaration asserting the equality of all Palestinians regardless of race, gender or creed. They added that endorsing such a quota will pave the way for other layers such as farmers, workers, youth and the handicapped that would end up getting unqualified representatives. In contrast, supporters of the women's quota claimed that this would be a positive intervention to allow female participation. The Swedish model was cited with the stipulation that each gender should not have less than 40% representation in the Parliament.

Public pressure was mounted with rallies and protests against opponents of granting women the quota. Several statements over the matter were issued by CSOs. Finally, the Council approved on August 31, then backed down on October 21, the third reading over the matter. The 20% quota was approved for local councils but not for the PLC⁸⁸.

Table (30)
Distribution of Legislative Council Sessions
On parliamentary periods ⁸⁹

	First Session	Second Session	Third Session	Fourth Session	Fifth Session	Sixth Session	Seventh Session	Eighth Session	Ninth Session
Ordinary Meeting	38	30	21	14	19	8	7	14	19
Extraordinary Meeting	4	4	11	8	3	2	4	12	6
Secret Meeting	1	2	2	1	1	–	–	0	0
Meeting	–	–	–	–	–	–	–	–	3
Total	43	36	34	23	23	10	11	26	28

⁸⁸Polls revealed support to women's quota at 65% (BZU, Development Studies Program, Feb. 18).

⁸⁹The Palestinian Legislative Council, internal reports

Political Conditions

The PLC elaborately discussed Israeli threats to get rid of Arafat, warning of the implications of the US unconditional support to Israel. The Council called upon the Executive to halt all meetings with Israel and for an Arab and International campaign against the targeting of Arafat. It praised the European position rejecting such threats. Calls were made to the Arab summit to have alternative options in case Israel persisted in the policy of undermining peace efforts.

The PLC requested the political factions to agree over a binding program, putting the national interest above other considerations. It also called to the immediate halt to acts of public disorder and resorting to arms to resolve disputes. However, the situation was getting out of the realm of the PLC.

On the other hand, the PLC called upon Arab and International parliaments to intervene in order to stop the brutal assault on Nablus. The call included the withdrawal of Israeli forces, relief of the bereaved city and return to normal life. The International Court of Justice in Hague was summoned to condemn the Apartheid wall and the UN to act to get it removed. A PLC delegation paid a visit to Syria meeting officials and leaders of Palestinian factions.

At another level, the PLC expressed deep indignation at the assassination of HAMAS Founder Sheikh Ahmad Yasin. The Council Speaker Rawhi Fattouh announced on March 22, suspending PLC meetings for a week in mourning to the spiritual leader. On October 31, the Council declared that there was no constitutional vacuum as a result of Arafat's travel for treatment in France. Various PA institutions continued to function in an orderly manner. However, the Council of Ministers was granted one month to present a report on the true reasons for the death of the late President.

1.2.2. Legislation and Laws

The PLC dealt during 2004 with a total of 77 bills, which is a good level compared to other years. The list included the bill of allowances and honorariums to PLC, and senior government officials. As a result, it was decided that the PLC Speaker would get a monthly allowance of 4000 dollars, members 3000, the Prime Minister 4000, each minister 3000. For each mission, a PLC member would get 100 dollars

while the Prime Minister would get 150 and 300 if the mission was abroad. The bill also entailed cutting 12.5% of the monthly salary for a provident fund that will be reimbursed at the end of service, provided it is not more than 80% of the monthly allowance. A one-time 15,000 dollar grant to improve conditions was also approved.

Decisions and Statements

The PLC decided that the Governor of the Monetary Authority does not fulfill the legal requirements for the job and must be laid off. In addition, a statement was issued on June 6 condemning the five-time life sentence and 40 years against Marwan Barghouthi. The sentence was considered null and void in utter violation of International law and the bilateral Israeli/Palestinian accords providing immunity to the PLC member. The Council approved Arafat's proposal to allocate one day's work of PA functionaries to the benefit of detainees. Also, the Israeli assault on Rafah was condemned on May 26 with the murders during the operation.

Equally, the US veto, in the Security Council on October 5 against the Arab proposal concerning Israeli assaults in the Palestinian areas was condemned. The Council referred to the US double standards conniving on Israeli terror acts. At another level, the PLC strongly rejected on December 5, the HAMAS letter criticizing the Council's deliberations over the Election Law.

1.2.3. Parliamentary Monitoring

The PLC demanded the PA to abide by the High Justice Court's ruling to rescind the order to freeze the accounts of 39 charitable organizations, allowing them to use the funds according to the law. The decision came after six months of deliberations when the Monetary Authority Governor rejected the Court ruling. Instead, the Governor, whose appointment is questionable having not been approved was summoned to the PLC.

Overall, the PLC addressed the issues of concern to the public. It exercised a monitoring role and held the PA accountable for the lack of a proper plan to deal with unemployment and create jobs. The concerns ranged from issues related to

journalists to the siege of Nablus and other public developments.

Special attention was provided to monitor corruption cases. The allegations of some that the smuggling of Egyptian cement constituted high treason was diluted with the Council considering it a corrupt practice of tax evasion.

Within the context of parliamentary monitoring, the Education, Social Affairs and Budget Committees met at to discuss the attack on Al Shifa Hospital. Some medicaments were received claiming they were donated from Egyptian companies when, in fact, they were a result of a deal between the Ministry and a specific company. The Monitoring and Human Rights Committee met with the Director General of the Social Affairs Ministry to follow up on the issue of distributing foul flour in the Central Gaza District. Also, the Council discussed the Economic Committee report concerning violations of the “Daff” bus deal owned by the Union of bus owners.

Furthermore, the PLC questioned the Head of the West Bank Civil Defense about readiness to perform tasks. Issues such as lack of funds, equipment, difficulty of circulation and the need for training were discussed. The same occurred with the Police Chief, who was also queried about pending files and the promotion of certain cadres without his knowledge. At the end, it was decided to correspond with the National Security Council and the Interior Ministry for follow-up and activate the role of the police in maintaining public order.

1.2.4 Council Committees

The Economic Committee

The Economic Committee held a workshop on the bill to regulate insurance in Palestine. It also discussed the draft of a report dealing with the complaint of housing association services over the installment payments of apartment units purchased from the Palestinian Housing Council. In addition, it discussed a report on procedures and mechanisms of dealing with assistance provided to Palestinians, in kind, and how to deal with it.

The Legislative Committee

The Legislative Committee held a meeting to discuss the draft report of the elections bill through a special committee formed by the Council. The purpose was to come up with a contemporary election system that fits into the reform policy adopted by the PLC. The Legislative and Political committees held a joint session in Gaza to discuss the proposed election law. Proposals to amend the internal bylaws were presented. In conjunction with the Land Authority, steps to encounter the Apartheid wall were considered. Furthermore, issues related to the Judicial Authority were tackled, such as the salaries of judges, raising the age of marriage, punitive code, implementation of court rulings, notary public project, constitutional court law and the bill to regulate expert work in regular courts with the prosecution.

In addition, there was discussion of the Supreme Constitutional Court, the Bill of Retirement of Civil Servants, the amended Judicial Authority bill, Executive and Legislative Authority Accident bill and the bill related to principles of civil courts.

Also, the Legislative and Political Committees held a joint meeting to discuss the proposed Election Law.

The Internal, Budget and Legislative committees held another joint meeting to discuss the issue of the “illegitimate profit” bill. Through exposure of accounts of senior officials, plundering public funds would be curtailed. As such, all public officials will be under scrutiny.

The issue of women was placed on the agenda of the PLC. The deliberations included member Jamila Seidam’s proposal to form a Women’s Committee in the ninth PLC term.

The Political Committee

The Political Committee invited Prime Minister Ahmad Qrei’ to discuss public issues. It also held a number of meetings with various factions, CSOs, unions and heading figures to deal with the chaos prevailing in the country.

The Monitoring and Human Rights Committee

This committee discussed the situation facing the Broadcasting and TV Authority amidst a deteriorating situation. It endorsed the Social Affairs Ministry report concerning the foul flour. Other issues had to do with water, elections, the murder of Al Azhar University Lecturer Yaser Madhoun, the ongoing detention of PFLP Head Ahmad Sa'adat and FATAH Revolutionary Council member Fuad Shobaki. It also raised the issue of the attack on Council member Nabil Amr as well as the entry gates into Jordan. The decline in public order was also discussed with the increase in cases of murder, burglary and armed assaults. There was also an interrogation as to whether there were Palestinian sales of cement for the construction of the Apartheid wall.

The Budget Committee

The Budget Committee discussed the amended bill of the Stock Market and a draft report concerning the cement with a follow-up of the case of the Monetary Authority Governor. It also discussed the amended Income Tax Law and the Public Service Retirement Law as well as the 2004 Budget.

In conjunction with the Economic Committee, a plan was presented to regulate insurance procedures. It also delved into the Civil Service Law and the Cabinet's decision to lower the taxes on second-hand vehicles imported from abroad as well as the budget of Al Azhar Religious Institute. The Head of the Budget Committee announced that the Civil Service Law is bound to improve the salaries of 95% of the PA staff, particularly the teachers. The Committee discussed with the Finance Ministry a number of public complaints such as retirement recipients recommending that provident funds should have an independent character.

The Education and Social Affairs Committee

The Education and Social Affairs Committee met with the General Coordinator of the Palestine Satellite Channel and the Deputy Head of the Palestinian Journalists Union to discuss the status of the local official media with the financial and administrative restraints.

In a joint meeting with the Legislative Committee, the need to apply the Civil Service Law to the benefit of all civil servants, especially teachers and health workers was stressed. The project to improve the lot of teachers was given a priority status. At another level, the blocking of the funds pertaining to 39 charitable organizations was opposed. This matter was discussed on May 3 with the Attorney General. Also, a complaint regarding the non-accreditation of the secondary school certificate of the Sixth October University issued by the Gaza College after graduation from Egypt was raised. The Committee discussed the laws pertaining to General Health, Social Expenditure, Work Injuries and Smoking Prevention. It was decided to present an amended Labor Law. Additional meetings were held to deal with issues related to Higher Education, rectifying modes of payments to martyr households with the specification of who falls under such a category and how much is the remuneration amounts. Equally, it dealt with laws dealing with detainees and ex-detainees, General Health, Social Care, Youth Care as well as allocation payments to divorced women. A meeting was held with representatives of the Union of Palestinian Unions to discuss labor issues. Another activity involved meeting Information Ministry representatives to tackle the issue of certain assaults on media personnel, looking for ways and means to prevent that and ensure capturing the perpetrators.

The Health Committee emanating from the Education and Social Affairs Committee held a number of meetings to address public complaints and expose the impact of the Apartheid wall on the educational process.

The Jerusalem Committee

Despite the urgency and importance of the issues facing this Committee, its performance was dismal and pathetic. Contrary to expectations, very little was done to encounter the ongoing land confiscations for the Apartheid wall or of the absentees and the demolition of houses in Jerusalem. All what surfaced were requested to the Council of Ministers and PA institutions to intensify regional and international contacts to highlight Israeli policies and rescind them. One may assume that the Israeli drive is larger than the Committee or even the PA itself. However, this does not justify the actual ineffectiveness.

The Lands and Confronting Settlements Committee

The performance of this Committee did not fare any better than the Jerusalem Committee. It was equally dismal. Even representatives of the PA, PLC and CSOs were absent from the meetings that the Committee called. Efforts to allocate an emergency fund and devise a policy to counter the settlement drive failed including plans for land recuperation. Even field visits were condensed.

The Refugees Committee

In light of the possibility of addressing the refugee issue as a major issue in the final phase talks, one would assume that the Refugees Committee is an essential body within the PLC. However, this was not the case. The Nakba anniversary and dealing with popular committees in camps were both neglected, together with asserting the right of return. The Committee has a long way to go to meet expectations.

Overall, this applies as well to the hot issues (Jerusalem, Refugees, Lands and Settlements). Undoubtedly, these are complicated issues. However, this is no excuse not to act properly since they are existential matters of concern to all the people.

Strengths

- The PLC followed political developments issuing proper statements.
- The PLC, through the Speaker and his Bureau fulfilled their role in a smooth transfer of power following the death of Arafat.
- A good part of the PLC decisions were accompanied with a concerted pressure on the President resulting in the latter's endorsement of a number of laws.

Weaknesses

- The rotation of a number of PLC members between ministerial posts and legislative parliamentary seats, is still a problem affecting the independence and impartiality of the Council when it comes to granting confidence to the government.
- Instead of the PLC initiating the move to promptly hold elections, as should be the case, it trailed behind the Executive and the CSOs. Quite the opposite, it seems concerned as the election date comes closer, which is contrary to the principles that the Council is supposed to uphold.
- With the over-extension of the PLC team, inefficiency is increasingly affecting its performance.
- At least three PLC committees had a dismal record during the year.
- There was an obvious lack of professionalism over a number of issues such as the case of the cement. Equally, no measures were taken whatsoever in the aftermath of political assassinations and assaults on media figures.

1.3. The Judicial Authority

1.3.1. The Judicial Structure

It is not conceivable to envisage the life of a people without a Council of Ministers that decides and implements, legislative body that monitors and a Judicial Authority that judges. However, this is not the case in Palestine since the Judicial Authority is crippled and almost non-existent during the last years resulting in serious violations.

As a result, the situation is chaotic with no distinction between an aggressor and a victim or why things happen the way they do. People are not aware if the Judicial Authority exists in the first place.

The Judicial Authority faces a number of challenges. The controversy over prerogatives between the Supreme Judicial Council and the Justice Ministry is still raging. In protest against the crippled situation of the Judiciary, the Minister of Justice offered his resignation. The dispute is also related to the role of each of the two judicial wings, i.e. the Courts and the Attorney General. The Head of the Supreme Judicial Council indicated complete rejection of any instructions whatsoever coming from the Ministry of Justice, since that would contravene with the Basic Law stipulating clearly the independence of the Judicial Authority. [The judicial system is in deep trouble on many levels.] Amendments are added or deleted to the favor of personal considerations instead of the public good. While this authority is supposed to be the protector body from corruption, there are indications that it gives it a hand. A problem that existed prior and after the formation of the Supreme Judicial Council has to do with the lack of criteria and standards in appointments. The dichotomy between the Council, insisting that no external party should interfere with its functioning, and the Ministry, emphasizing that running courts and prosecution is its prerogative, has effectively paralyzed the operation.

In fact, relations are severed between the two parties. As a result, there is more bickering between them than efforts to activate the Judiciary.

What appears, on the outside, as the independence of the Judiciary is nothing but a euphemism for the tyranny of the actual system. This is due to a variety of reasons.

It has to do with contradictory items and interpretations with each side selectively sticking to advantageous texts. For instance, the Head of the Supreme Judicial Council refers to article five that stipulates that the “Judiciary and the Prosecution take oath in front of the Supreme Judicial Council prior to assuming their tasks.” Article seven states that “the President appoints an Attorney General out of the advocates or of those nominated by the Supreme Judicial Council.” While article eight refers to “the level of judicial and prosecution degrees are determined by the Supreme Judicial Council.” As such, the Minister of Justice produces what would be contradictory items such as article 23 that stipulates that “the Minister is entitled to nominate judges to perform ad hoc legal tasks.” Article 33 entitles “the Minister to accept the resignation of judges,” while article 58 gives him the right to terminate the judge from office.”

The same applies to the Attorney General with article 64 stipulating that “members of the prosecution, unlike the Attorney General, take oath in front of the Minister of Justice in the presence of the Attorney General.” According to the law, the Attorney General takes oath in front of the President with the presence of the Minister of Justice.

Controversial texts are determined by constitutional courts. In the absence of such courts, the Supreme Court temporarily fills up. However, the problem lies in that the Supreme Court is biased in the controversy.

Judges and judicial staff in the Gaza Strip are in the process of resolving court cases without undermining the principles of justice, as was the case in the West Bank. The Head of the Supreme Judicial Council referred to a deal with President Arafat over the issue of the retirement of judges in a manner that guarantees respect and well being of departing judges. In fact, the Supreme Judicial Council expressed reservation over the Finance Minister’s measure to consider the salaries of judges as a payment under account as a step to lower salaries according to the judicial authority decrees. However, the Council of Ministers decided to cancel the Finance Ministry’s decision in order to maintain the independence and effectiveness of the Palestinian judiciary.

The Supreme Judicial Council has approved the appointment of a number of first instance and magistrate court judges in the West Bank and promoting others. The Council promulgated the standards and conditions for such appointments and promotions. The conditions included that the new judge should not be less than 30

or more than 50 years old, and must be a lawyer that practiced the profession for at least ten years.

In a precedent over many countries, the Supreme Judicial Council introduced the computer into the regular courts. It also laid the cornerstone for a court consortium in Khan Younes that would house the Magistrate Court and the prosecution. The Head of the Judicial Council called upon those affected by the separation wall, particularly those holding foreign passports, to raise court cases. He emphasized that Palestinian courts are ready to look into such cases as a result of harm done to Palestinians.

The Chief Judge of the religious courts announced that religious judges are donating a day's work to assist Rafah camp people. The assault on the Hebron religious court was condemned. Also, contributing to building the Apartheid wall was declared profane, from a religious point of view.

Lawyers

Relations between the Lawyer's Association and the Supreme Judicial Council became tense following the former's complaint regarding the decline of the judiciary. There were claims of favoritism, absence of monitoring and judicial inspection. The operation of courts was suspended for a full week following the Supreme Judicial Council's canceling the cases that lawyers failed to stand for on time. However, the situation was contained following a meeting that brought together President Arafat, the Head of the Supreme Judicial Council, the Attorney General, Dean of Lawyers and members of the syndicate.

The Lawyers' Union condemned, though ineffectively, the shooting incident on a number of lawyers on September 28 causing severe injury to one of them.

1.3.2. The Attorney General

Just as the Judicial Authority, there are misgivings as to the effectiveness of the Attorney General's role. For instance, the issue of the cement imported from Egypt through an Israeli company and utilized in the construction of the Apartheid wall is still pending, following hearings with relevant parties such as the Monetary Authority, the PLC, the Ministry of National Economy and the General Control Bureau.

The role of the Attorney General and the Prosecution was active within the judicial system in the case of those involved with collaboration with the Israeli General Security Services (Shabak). The first instance court of Gaza resumed on September 5 looking into 60 such cases involving the murder of activists. On September 19, two of 14 of the accused with the same charges appeared in court. The others were not informed or properly summoned by those investigating. Simultaneously, the Attorney General announced capturing nine suspects involved in the killing of FATAH activist Muhammad Issa on October 12 in the Bureij camp. On October 22, the prosecution charged through the Gaza first-instance court a suspect involved in collaboration with foreign intelligence to murder a HAMAS military wing leader in Sudan by poisoning. The same court issued on December 20 a sentence to imprison four collaborators for 10-20 years. The trial of 16 other suspects of collaboration with Israel was also underway.

The Attorney General informed that there were 68 files in Palestinian courts of people implicated with collaboration with Israeli intelligence. However, there was no convincing answer regarding the journalist association's demand for his resignation for failure to fulfill his obligations.

As for the courts falling under the jurisdiction of the Supreme Judicial Council, a dynamic activity was recorded. It included the Supreme Court's ruling in Gaza on March 21, 2004 to defer the ruling over the blocking of the accounts of 39 charitable organizations following the rejection of the Attorney General's repeated use of the same arguments contrary to article 121 of the civil and commercial courts. Eventually, a three-member Supreme Court ruling came to release the blocked funds of 39 Islamic charitable organizations and canceling the decision of the Monetary Authority. However, the latter refused to accept the court ruling.

Likewise, four of the Palestinians accused of ambushing three American security personnel in Gaza on October 15, 2003 are in detention although the Supreme Court ordered to have them released for lack of evidence. A number of demonstrations in Gaza calling for their freedom did not help.

The first instance court looked on March 30 into the case of the kidnapping, raping and murder of 16-year old Mayada Abu Lamthi. The minor had been hijacked on September 25 and strangled after being raped by the four perpetrators. The case aroused shocking waves and even the kinsmen of those implicated called for maximum punishment.

Table No. 32:
The position of Palestinian courts for the year 2004

	Courts of first Instance	Magistrate's Court	High Justice	Court of Appeals
West Bank	Ramallah	Ramallah	Appeal	Ramallah
	Jericho	Jericho	Cassation	Jerusalem (under construction)
	Hebron	Hebron		
	Tul Karem	Tul Karem		
	Bethlehem	Bethlehem		
	Nablus	Nablus		
	Qalqilia	Bethany (under construction)		
	Jenin	Bier Nabala (under construction)		
Gaza Strip	Gaza			
	Khan Younis	Gaza	Appeal	Gaza
	Dier Al-Balah	Jabalia	Cassation	
		Dier Al-Balah		
		Khan Younis		
		Eastern Villages		
		Rafah		

Table No. 33
Number of Judges for the year 2004⁹⁰

Courts of first Instance	Magistrate's Court	High Justice	Court of Appeals
40	47	22	12

Strengths

- Although no solutions have been found to deal with the major problems riddling the judicial system, the issue will be handled since the diagnosis is clear.
- The Executive is aware of the problems facing the judicial system. What is needed is to take the appropriate measures to rectify the situation.

Weaknesses

- Instead of the innovative judicial formation, such as the Supreme Judicial Council, activating the system as an independent authority, it got embroiled in endless bickering with the Justice Ministry. While it is supposed to rule between disputing parties, it became a problematic case in need of an arbiter.
- Questioning and the lack of clarity of the Judicial Authority has been disruptive. There is a dire need to amend and clarify the law in a manner that does not allow discrepancy between the Supreme Judicial Council and the Justice Ministry.
- The concept of the independence of the judiciary is still unclear. It needs to be grasped and compared with parallel models. A clear line needs to be drawn between the Executive and Judicial authorities.
- No cases of importance were referred to the Attorney General. Instead, investigation committees were formed.
- Instead of improving the situation, the new measures and appointments exacerbated matters, particularly because some of the appointments were not transparent and were based on favoritism.

⁹⁰Supreme Judicial Council data

2. Civil Society Organizations

CSOs faced a bumping situation due to the turbulent events locally and regionally. Sharon's pending withdrawal from Gaza poses a number of questions as to the forthcoming possibilities.

A number of Palestinian NGOs expressed dismay for the imposition of conditions by foreign donors such as USAID requesting the signing of an oath against "terror", according to the American list. CSOs held a meeting to discuss the matter with the presence of the PA's international relations officials.

In the same context, a survey indicated that 54% of the GAZA CSOs face serious financial shortages while 33% have fewer problems. Clearly, funding sources are in the forefront of the CSO concerns placing it at crossroads.

The decline in public order haunted the CSOs. The Higher National and Islamic Forces Committee held the PA with its Interior and Justice ministries and the Security Establishments fully responsible for the chaotic conditions and the lack of compliance with court orders. The need for stern measures was emphasized.

At another level, the Civil Society conducted a series of activities to counter Israeli policies whether at the level of opposing extra-judicial murders or threats against Arafat. Equally, it took issue with US policies fully backing Israel at the expense of agreed formulas, undermining the American role as an honest broker in the peace process.

CSOs played an instrumental role in the battle against the Apartheid wall in the International Court of Justice. It was an opportunity to expose the hardships faced by Palestinians, including control of water, isolation in enclaves and disrupting contiguity among Palestinians.

The CSOs, facing the unfolding events, raised the issue of whether there is actually a reform policy. And if it is so, is it emanating from subjective needs or is it imposed by external dictates?

Equally, the NGOs were keen to stay at a safe distance amidst the controversies riddling the PA and FATAH cadres with contradictory positions and unforeseen perspectives. As such, the CSOs did not fulfill their role, preferring to sit and watch.

The same applies to the position vis-à-vis the issue of corruption.

There seems to be a possibility for all Palestinian groupings to engage within the “system.” This is more likely with the election “system” that started on December 23 and is due to continue until the end of 2005. However, the pressures facing the PA and the disturbing US/Israeli coalition places the CSOs in an uncomfortable position to carry out programs in a manner that can shape the Palestinian system.

The late President was able to glue all the components of the Palestinian map. Currently, there is a need for a new formula which implies mobilizing grassroots to overcome the provisional phase whether at the level of CSOs, elites, parties or institutions. This task becomes more pertinent in light of external dimensions.

2.1. Political Parties

The declaration of a United National Leadership involving all factions is a landmark in confronting escalating Israeli aggression. This becomes more relevant in light of an international report that forecasts the dissolution of the PA within a year, if circumstances stay the way they are.

Discussion among factions went unabated. On April 3, there was a consensual agreement to form a United National Leadership that would assume responsibility following the pending Israeli withdrawal from Gaza. The inclusion of HAMAS within the PLO was proposed based on the August Declaration. Deliberations among factions warned the PA not to sign any accord with Sharon to legitimize his unilateral withdrawal from Gaza since he is not a partner in the first place.

August 14 was set to hold the sixth FATAH conference. It opens the door for the young guard to come up with a new program and amend the movement’s basic law. Changes are expected within the 16-member central committee, which is the highest body and the 129-member revolutionary council.

The failure to hold legislative, local council and presidential elections in one round reflected the vulnerability of the situation and the political crisis both at the PA level and the opposition. FATAH is keen to maintain control while the other factions are divided. It is striking that the democratic trend to failure to benefit from the golden opportunity ahead. Either there is a failure to learn the lessons on time or there are

factions that are stuck with their own rhetoric in playing the required role.

The national and Islamic forces refused the London conference that was reduced to be a rehabilitation of the PA. Being confined to Palestinians, the December meeting was nothing but a step to internal British concerns.

In general, the political parties failed to capitalize on the declining conditions and mobilize the public through coming up with a real alternative⁹¹.

2.1.1. Islamic Opposition

The fourth Intifada year was the toughest for HAMAS that lost its top political and military leaders. The murder of Ahmad Yasin and Abdel Aziz Rantisi was a severe blow to the movement that was on its way to join the PLO. This could be attested by the semi-formal request to re-shape the PLO as a prelude to share authority. In fact, HAMAS representatives were part of the Palestinian delegation to the Arab Summit. However, the movement is able to disassociate itself from such a trend like Khaled Mash'al's declaration on April 28 that HAMAS wants to be a reference in decision-making without joining the PA.

While HAMAS was weakened at the level of leadership, its popular appeal increased and it became more realistic politically, moving towards becoming a political party with the forthcoming PLC elections.

Tangible changes occurred within HAMAS and the Islamic Jihad vis-à-vis the struggle against occupation and the political settlement. Increasingly, their position came close to that of FATAH and the PA. On August 9, under Egyptian sponsorship, a deal was reached to deal with the phase following Israel's pending withdrawal from Gaza and parts of the West Bank. Both HAMAS and Jihad expressed readiness to participate in local council elections and the PA, provided the house is put in order.

Clear indications were sent that the movement is also ready to participate in legislative elections, after abandoning its earlier position of not considering Oslo as the reference for such elections. This came following the CEC's endorsing measures that go beyond Oslo. Thus, the only condition of HAMAS is that the elections are fair.

Observers view HAMAS participation in the legislative election positively since it is bound to let the movement act responsibly and enhance pragmatism.

HAMAS and Jihad clearly moved towards positions close to the PA. In this respect, HAMAS leader Ismail Haniyeh called for the formation of an interim leadership based on an agreed-upon platform until holding free and fair elections. Egypt played a role in achieving such a common ground.

Along the same line, Jihad leader Nafez Azzam announced readiness for partnership with the PA with all other forces, provided it is an actual partnership in Palestinian decision-making at all levels.

HAMAS went a long way in dealing with the PA including readiness for an extended truce with the Israelis and agreeing to provisional objectives.

However, the Islamic Jihad rejected the call of Abbas to demilitarize the Intifada. This does not mean that there is no intense discussion within the movement locally and abroad. The future course will largely depend on developments far from seeking to establish a modern political system.

In any case, a dramatic change is discerned in the orientation of HAMAS. With the serious vulnerability of the movement to military blows, it is seeking to maintain political presence by coming close to the PA and neighboring countries in a less emotional temperament. Such a position was reflected by the declaration of HAMAS leader Mohammad Nazzal when he said: "The response to the assassination of Rantisi and Yasin are bound by political consideration and problems in the field."

HAMAS was in the process of calming down, offering a "deal" to the Israelis and opening channels of communication with the US. This occurred as the movement sought to strengthen its presence on the ground. In December, Yasin had declared readiness to accept a Palestinian state in all of the West Bank and Gaza in return to a truce with the current Israeli government. Nazzal also declared that HAMAS does not oppose talks with the US administration, indicating that there have been talks. Israel rejected a HAMAS proposal for a ten-year truce in return for withdrawal from the lands occupied in 1967. The two Islamic factions called for a national dialogue as a prelude for a national chart, insisting that there will be no fratricide among Palestinians. In March, news spread that HAMAS was in the process of forming

a popular army in preparation for the pending Israeli withdrawal. Meanwhile, it declared that the response for the unilateral Israeli withdrawal will depend on the scope of such a move.

A “code of honor” was discussed to be agreed upon among all factions. Yasin reiterated that the movement was ready for full calm in return for full withdrawal. However, the ailing spiritual leader was murdered on March 22, 2004. The following day, thousands of people offered their allegiance to Abdel Aziz Rantisi to head HAMAS in Gaza while Khaled Mash’al assumes the leadership in the rest of the country and abroad. The replacement of Yasin in less than 36 hours indicates a high level of organization in the chain of command. However, the same cannot be ascertained after the murder of Rantisi himself on April 17.

In the following period, HAMAS strongly denied reports that it will target American interests abroad. Meanwhile, the declaration of the British Finance Minister’s announcement that five HAMAS bank accounts in the UK are frozen came with no clue as to the timing and the reason behind.

HAMAS called upon the EU to review the policy of placing it on the terror list. It appealed for Europe’s non-siding with the US bias towards Israel. At another level, all calls to stop firing Qassam rockets towards Israeli settlements went unheeded. Such a position could change, in light of the prevalence of the pragmatic wing as well as the successive heavy blows that eliminated the top leadership.

The Islamic Jihad decided to boycott local council elections as well as the presidential elections. It claimed this has to do with the movement’s assessment of the political scene.

HAMAS, however, had a clearly wavering position over the matter. At first, it put an unattainable condition in demanding local, legislative and presidential elections within the transitional 60 days. This in itself was giving in to a previous condition of rejecting the Oslo formula. From the other side, Mamhoud Zahhar declared that HAMAS will allow its members to act as they feel on the issue of the presidential elections. As for the local council elections, the movement claimed winning more than half the seats in the first round.

2.1.2. The National Opposition

The decline in public order and the political stalemate with no signs of dealing with the multi-faceted problems reflected the deep turbulence within FATAH. Arafat tried to put the house in order through summoning the Central Committee in preparation to move on to the Revolutionary Council and then held the FATAH General Conference. A preparatory committee was formed for this purpose. Meanwhile, the FATAH detainees in Israeli prisons addressed a letter in February to Arafat demanding sweeping changes in the movement's *modus operandi*.

The confusion included the constant shift in negotiation ceilings and positions towards other Palestinian factions. There were reports that massive resignations will occur within the movement. On February 25, 2004, the Revolutionary Council convened for the first time in three years with the presence of Arafat, who delivered a speech including his assessment of the political, organization and security conditions. Arafat described the meeting as "fantastic", promising that general elections of the movement will take place within a year. He announced the formation of a committee to prepare for the sixth FATAH congress. A committee to look into internal reform was also declared. Furthermore, there was a call for a reciprocal Israeli/Palestinian truce with an appeal to Israelis, the International Community and the Quartet.

There were divergent opinions regarding the deliberations of the Revolutionary Council due to the divisions among two currents. The young guard is looking for drastic changes while the old guard is in a position of defense and hesitant to rock the boat. With such a discussion, the future of the movement is uncertain.

The expected sixth FATAH congress is 15 years late. However, the real challenge is to put the house in order and activate the movement with proper funding, spokespersons and so on. Another aspect has to do with the fate of Al Aqsa brigades in light of the position that whoever does not comply with the decisions taken would face expulsion.

At another level, there has been a qualitative change in the attitude of the Damascus-based national opposition. Instead of the negative dismissive criticism leveled to the PA, there has been a warming up. This was accompanied by several official visits to Damascus. A PFLP spokesman denied any Syrian pressure on the Front as part of the US drive to have Damascus clamp down Palestinian groups that feature in the American "terror" list.

In contrast, other Palestinian sources claimed that all of the ten Palestinian group offices in Damascus have been shut down and communication lines cut off, with those in charge spread out in other countries like Qatar and Lebanon. Clearly, this indicates that these factions were nothing but bargaining chips in the hands of host countries.

On the surface, the PFLP General Command denied that it is in the process of reaching a deal with the PA to absorb 200 of its members. However, it admitted the rapprochement citing Arafat's courageous stance under the siege. An official in the Front denied the return to the PLO since it had not left it in the first place. It had only frozen membership due to political differences.

The political Bureau of the People's Party complained that Qrei's government is not dealing with the issue of reform in an earnest manner. It called for the need to comply with the PLO's political program.

In response to the extra-judicial killings and the drive to break the will of the Palestinians, military wings respond by suicide bombings and firing Qassam rockets on Israeli settlements. In retaliation, Israel tightens the screws punishing Palestinian civilians. As a result, there are some who refer to the "crisis of the Palestinian armed option" – considering that it is futile given the regional and local conditions.

In response to a statement issued by the PFLP's military wing rejecting participation in elections, the Front declared that only the leadership is entitled to take, or rather not to take, such a position.

It is noteworthy that Abbas, Qrei' and Fattouh (the Interim Head of the PA) paid a visit on November 22 to Ahmad Sa'adat in his Jericho prison.

The Arab Liberation Front reiterated its demand to probe into the circumstances that led to the murder of its leader Abu Abbas while he was detained by the American forces in Iraq.

Yaser Arafat left a heavy burden that Mahmoud has to handle. Despite divisions among various FATAH groups, his calls to de-militarize the Intifada that effectively removes the cover from armed factions including Al Aqsa brigades, he seems to have managed to secure a consensual position within his movement. With the pending sixth congress in May, FATAH is in urgent need to put its house in order and assert its legitimacy and role.

The outcome of the local council elections gave FATAH 136 seats (44.4%), HAMAS 109 (35.6%), PFLP 7, People’s Party 3, PDFLP 2, and 13 independents.

**Table (34): Rate of Popular Support to Palestinian Political Parties
a) During the first half of 2004**

	Development Studies Program	Najah University	JMCC Palestinian Center for Public Opinion	PANORAMA	Palestinian Center for Policy and Survey Research	Najah University
	18/2/2004	21/3/2004	26/3/2004	30/6/2004	5/7/2004	20/7/2004
FATAH	38.5%	23.9%	27%	25.3%	28%	24.5%
HAMAS	21.0%	16.1%	14%	16.5%	24%	21.0%
JIHAD	5.0%	5.3%	3.5%	6.2%	6%	4.7%
National	7.0%	3.2%	4.2%	3.0%		2.7%
Democratic		16%	2.2%	2.4%		1.1%
Peoples Party		1.5%				0.3%
FIDA		0.2%		0.8%		0.1%
NIDAL						

b) During the second half of 2004

	Development Studies Program	Najah University	JMCC Palestinian Center for Public Opinion	PANORAMA	Palestinian Center for Policy and Survey Research	Najah University
	18/2/2004	21/3/2004	26/3/2004	30/6/2004	5/7/2004	20/7/2004
FATAH	38.5%	23.9%	27%	25.3%	28%	24.5%
HAMAS	21.0%	16.1%	14%	16.5%	24%	21.0%
JIHAD	5.0%	5.3%	3.5%	6.2%	6%	4.7%
National	7.0%	3.2%	4.2%	3.0%		2.7%
Democratic		16%	2.2%	2.4%		1.1%
Peoples Party		1.5%				0.3%
FIDA		0.2%		0.8%		0.1%
NIDAL			0.5%			

Strengths

- The participation of all factions in the election process is a landmark enhancing Palestinian democracy.
- Political pluralism as reflected in the local council elections could establish a tradition of political diversity or lead to fragmentation.
- Despite certain gains attained by groups like HAMAS, there is a noticeable absence of groups to the left that has a long history of activity.
- Regardless of the different positions over the women quota, the vibrant popular response reflects the Palestinian ability to influence decisions.

Weaknesses

- Apart from FATAH and HAMAS, no other faction has been able to assert a significant presence in the electoral field.
- Lack of internal democracy within the political factions resulted in an erosion of popular support.
- Democracy is an integrated process; it cannot be confined to the national level and needs to incorporate the other components.

2.2. Trade Unions and Professional Associations

Trade Unions and Professional Associations are supposed to endeavor to protect its members, mobilize public support and be resilient. It should also act to ascertain the rule of law and engage with political parties to influence the course of matters. In more than a location and case, the Trade Unions and Professional Associations faced serious challenges, such as:

- a) Assaults on journalists persisted under different forms and guises, becoming a pattern in line with the chaotic conditions and the spread of criminal acts.
- b) Worker demonstrations erupted near Erez roadblock after worker Ibrahim Sheikh from Gaza's Al Daraj neighborhood died at the end of February as a result of overcrowding in the pathetic roadblock.

Clearly, internal rivalries exacerbate the prevailing chaos. However, there is a systematic plan to create a mood of despair whereby some political arrangement could be imposed.

The General Union of Palestinian Syndicates discussed having a constitution to regulate its operation to fulfill its role within the Palestinian formula. Positive steps were taken with a number of elections, such as the Pharmacists Union. The Union of Workers in Jenin held elections for three syndicates. Similarly, the West Bank agricultural engineers held their first election in six years. So did the University and Higher Education Union as well as mechanics, vehicle service providers, accountants and auditors. Also, the Contractors Union convened. In an advocacy lobby, the General Union of workers presented a bill for approval by the PLC and the Ministry of labor concerning regulating syndicate activity.

At another level, the University Employees Union went on strike in protest against failure to link salaries with the cost of living index. Equally, the General Union of Teachers presented a protest to the Finance Minister concerning retired teachers who were not included with the beneficiaries of the Civil Servants Law. The memo demanded linking the salaries of the retired teachers with the cost-of-living index, provided free schooling to their children and review the retirement allowances. On its side, the Teachers Union warned the Finance and Education ministries of a wave of protests demanding receiving allowances. As a result of failure to reach an

accord with the ministerial committee, a general strike was held on April 24.

The Jerusalem block (combining FATAH and the People's Party) swept all the seats of the Dentists Union in the nine West Bank governorates. The Laboratory Medical Union held side elections in the West Bank. Candidates of the Jihad affiliated Islamic group secured the majority of seats in the Palestine Technical Women's College in the elections held in March.

In protest against the assault on the Director of the Shifa medical complex in Gaza, the Doctors Union went on strike, halting work in all health facilities.

The General Union of Palestinian Workers in Gaza declared full readiness to cooperate with the Security Establishments to take over and protect the Industrial zone in the Northern area after Israeli evacuation. The Union of Engineering and Metallic industries raised 80 cases in Israeli courts to claim losses incurred as a result of Israeli assaults.

The UNRWA Workers Union declared an open strike on October 11 in protest for not responding to the demands of 6000 workers facing a mysterious future. The strike crippled all operations in the field of education, health and cleaning activities. With the talks reaching to a dead end, the Council of Ministers decided on October 25 to assign the Minister of Labor to mediate in the dispute. The PLC seconded this move while the General Union of Palestinian Workers expressed full support to the workers on strike urging UNRWA to respond to the demands. The strike ended on November 20 following an agreement to link cost-of-living increments to the salary scale and dealing with health insurance schemes whereby UNRWA contributes 70% of the costs. Other items in the agreement had to do with work contracts, compensating for strike days and guaranteeing not to target union activists.

Strengths

- Trade Unions actively promoted steps to improve the lot of workers in several sectors.
- The trend of resorting to elections within many syndicates and unions is a positive step to enhance the democratic spirit.

Weaknesses

- The wave of elections failed to stir the Labor Unions, as if it has nothing to do with it.
- While the Trade Unions, historically, played an active role in the past, it got increasingly fossilized with no change of faces at the helm.
- Union icons were glued to their positions as if it were their private domains with no steps to activate and upgrade the operation.

2.3. Civil Society Organizations and NGOs

The CSOs actively acted to address a number of issues on many fronts. In concerted cooperation with International parties, it sought to expose Israeli practices, such as in Rafah and dispatch food, relief and other humanitarian assistance to besieged people. The refugee popular committees called upon the UNRWA Director of Operations and the Secretary General to interfere in halting the assaults, provide work and regard the camps as disaster areas⁹².

Furthermore, the CSOs had a prominent share in supporting the strike of the prisoners, in cooperation with the PA. For instance, it revealed the incarceration of 80 Palestinians in two rooms that can fit only 20 in the Binyamin detention near Ramallah.

The CSOs actively pursued the issue of the Apartheid wall case at the International Court of Justice. An International protest petition was prepared against the wall calling for sanctions. So far, 447 European parliamentarians and 209 organizations within the EU have signed the petition.

The CSOs agreed on a recommendation to reformulate the amendments in the Social Assurance Law and the team running the fund. The Association of the Retired demanded the PLC to be involved in the discussions to come up with a modern retirement project. In fact, the first draft of the law has been presented to the PLC.

Popular Bodies and Unions, in cooperation with the National and Islamic forces, held a meeting calling for unity and reform. The final statement demanded a stipulation to prevent illegal gains and confront public disorder. A group of prominent figures announced the formation of a broad-based coalition to deal with matters of concern.

The Islamic Charitable Organizations mounted protests for the freezing of its funds through a series of demonstrations in Gaza. The Head of the Islamic SALAH society mentioned that a one-time 600 thousand dollar amount was allowed to be withdrawn from the blocked funds.

At another level, the Palestinian branch of the Global Movement for the Defense

⁹²CSOs still enjoy public support Najah University polls on Jan. 20 and March 20 gave an 85% in favor. However, this declined to 56% and 68% by the same public on July 20 and Sept. 20, respectively.

of Children denied Israeli allegations of systematic recruitment of children in Palestinian factions. However, it admitted that there were such isolated cases that are taken up with the implicated factions.

The issue remained opened as to whether the CSOs should be involved in coming up with candidates or present a program or whether it should endorse a certain candidate.

The NGOs were instrumental in the Local Council Elections. The ATF organized more than 20 public meetings with candidates. Each of the latter were given ample time to be introduced and present the program.

The audience questions were addressed to candidates while ensuring the distribution of candidate lists over a number of sessions. The PNGO network in the West Bank and Gaza Strip published a number of ads in the local papers to enhance fair elections. Monitoring committees were formed and spread in voting centers after watching the presidential campaigning.

The Local Election Monitoring Committee complained on December 23 about the Israeli intrusions in the election process and took issue with some CEC procedures, though it asserted that there were no serious violations.

2.4. Human Rights Organizations

The Human Rights Organizations encountered the Israeli practices that included a series of unethical scandals. In fact, soldiers witnessing brutal incidents revealed certain horrible incidents. The Israeli Supreme Court joined in regarding the secret detention center known as 1391, whose location is not revealed nor the Palestinian inmates incarcerated there. The Mizan Human Right Center expressed concern for the Israeli targeting of Palestinian Children.

A number of Human Rights organizations raised a case at the Supreme Court on May 27, demanding an explanation for the Israeli military notion of “war necessity” as a justification for assaults on Palestinians. This occurred on the background of the incursion into Rafah with the camp, during the same month, leaving 65 killed, 76 houses demolished and 688 dunams bulldozed.

In an unprecedented move, forty UN human rights rapporteurs issued a strongly-worded statement condemning Israel for gross violations and called upon the Security Council to deploy international protection forces.

In a separate matter, the Center for human rights indicated that by the end of the year, 47 Palestinian journalists were assaulted, with seven of them murdered. So far, not a single case was investigated. A statement issued by the Center revealed that, since the eruption of the current Intifada, 424 children were killed or injured while in their classrooms or schools. Al Haq managed to secure a Supreme Court ruling to allow Amena Bakri and Shahiraz Sharabati to return to their homes in Hebron after being kicked out by settlers for a year. The heinous crime of the cold-blooded killing of the child Iman Hams was particularly shocking. The murder became an issue between human rights organizations and the army, particularly with the discharging of the perpetrator who emptied twenty pistols in the body of the child. On another hand, there was an increasing concern regarding the increase in criminal killings and the spread of arms through those who are supposed to be in charge undermining public safety.

Strengths

- Palestinian CSOs reflected a remarkable vitality in several areas. Clearly, public opinion polls assert the credibility enjoyed by such organizations due to its tangible efforts.
- One may confidently state that much of what is being achieved at the level of democracy and reform is a direct byproduct of the diligent and resilient work of the CSOs over the years.

Weaknesses

- Many of the CSOs that had been dependent on political parties failed to combine community and partisan tasks. This applied equally whether at the level of activities or hiring policies. As such, it fell prey to the policies of favoritism that it is supposed to transcend.
- Factional considerations often prevail over coordination policies, as if the functioning is in narrow factional considerations rather than the interest of the community as a whole.
- Certain CSOs are not ready yet to cope with the democratic process or even put the internal setup in order.

3. Conclusions

1. With the **death of Yaser Arafat**, an important chapter was completed in Palestinian history. Undoubtedly, there were many achievements, as well as mistakes. What is needed now is to consolidate achievements and eliminate mistakes.

2. Israel, through the Prime Minister, persisted in issuing **direct threats to eliminate Arafat**, considering him an obstacle to the peace process because of his refusal to compromise on basic legitimate rights. The so-called unilateral withdrawal from Gaza is merely a maneuver to deviate attention as a cover to pursue the belligerent policies. Contrary to previous instances of Israeli boasting about the elimination of Palestinian leaders, the Sharon government did not admit to killing the Palestinian President. However, all indications and previous statements implicate Israel.

3. The **official Israeli state terror** attained unprecedented levels. The government turned into a field court issuing extra-judicial execution orders to eliminate political and religious leaders. “Suicide bombs” came in the form of one-ton rockets dumped on civilian targets, murdering scores of innocent people, in stark violation of international covenants.

4. Despite all the sacrifices offered by Palestinians and the loss of thousands of lives, **Palestinian reactions** should not be based on a similar approach of violence and vengeance. Reactions need to be based on ethics and the respect of human dignity.

5. Having struck all those on its “list of targets” in recent years, Israeli aggression turned to **Palestinian civilian targets**. This attack has resulted in the murder of innocent civilians, the imposing of numerous roadblocks and construction of the Apartheid wall that contravenes with International Conventions. Confronting such a massive war machine, the Palestinians pursue with their remarkable resilience and struggle.

6. Such **steadfastness** in the face of a full war waged against a civilian population is bound to be recorded in the annals of history. This is particularly relevant in light of international connivance, contrary to what the case was in other similar struggles.

7. While the pace of the **Reform Process** is accelerating, there is a long way to go regarding other basic needs. This includes internal security, assaults on journalists

and failure to expose corruption cases. In several cases, investigation committees were spurned off.

8. Although the initiation of a **Council of Ministers or a Cabinet** is a step in the right direction, so far it has been merely an internal issue with no tangible impact on the overall reform.

9. The decline in the **economic situation**, with high unemployment and deteriorating living conditions, have their share in exacerbating internal problems. Additional efforts are needed to reduce unemployment and raise living standards.

10. The condition of **embassies and missions** abroad has become unbearable. This reflects badly on the image of Palestine and the role that such delegations have to assume.

11. The efforts of a number of **PA ministries** to play a central role by providing services and improving performance needs to be reiterated.

12. The **Security Establishment** faces a difficult test. It is still targeted by the occupation forces and still needs to fulfill obligations, even the bare minimum requirements. Needless to say, these forces need to be rehabilitated to assume responsibilities. The year 2004 was particularly negative in eroding the credibility of these forces.

13. Instances of chaos and **lawlessness** became common. Attempts to contain matters did not alleviate the negative impact of the deteriorating public order. The fact that such incidents occur, hand in hand, with Israeli assaults does not bode well for steps toward reformation.

14. The decision to hold **partial local council elections**, after so long, heralds a new phase in Palestinian governance, particularly if this step is carried out to completion. Finding a way to include Jerusalem in these elections should not be neglected anymore, due to the long-range political implications.

15. There is no question that the **local council elections** were held in a smooth and orderly manner. This sets the ground for building on such a democratic tradition.

16. The issue of **Jerusalem as capital** needs to be addressed before the completion of local elections. However, it is of vital importance to be aware that the domination of

the Israeli authority over palestinian election in Jerusalem is against the democratic principals and the Palestinian sovereignty.

17. Following the local council elections, the time may be more opportune than ever to form **regional councils** in adjacent areas to coordinate service providing, which was not the case in previous years.

18. The **PLC** resumed, to some degree, its tasks in legislation and monitoring. However, with the expiration of its term, its legality is questionable. The members' symptoms of aging are becoming increasingly noticeable. In addition, there is a lack of professionalism in dealing with certain issues, such as the cement case and the total neglect in confronting political assassinations, assaults on journalists, and attacks on freedom of the press.

19. The *raison d'être* of the **General Control Bureau** is to present reports for discussion to the PLC. The general neglect of this duty needs to be addressed and the bureau's activities revived.

20. Instead of improving performance, the result of **judicial restructuring**, which included the establishment of the Supreme Judicial Council as an independent body, turned out to be endless bickering with the Justice Minister. While the role of the judiciary should be the interpretation and application of laws for society, it instead became a political entity and a battle ground for parties that need to be reconciled.

21. The concept of an **Independent Judiciary** is still unclear. Its application to Palestine needs elaboration and comparison with other models. Specifically, there is the need to draw the line between the prerogatives of the Supreme Judicial Council and the Ministry of Justice. The courts should not fall under the umbrella of the PA.

22. Chaotic conditions can be expected in the absence of the rule of law, since civil order and legal legitimacy are interdependent. The persistence of disorder in the territories indicates that the reform measures targeting the **Judicial Authority** were merely cosmetic changes that did not improve conditions on the ground.

23. Despite all the difficulties and divergent positions, the basic features of **National Unity** are still there. This is of utmost importance to the future of the Palestinians.

24. The engagement of all **political currents** in the election process is a positive step in activating Palestinian democracy. We should take steps to ensure that the **political pluralism** developing in the local councils is harnessed to contribute to political pluralism at the national level, rather than contributing to fragmentation.

25. The **FATAH movement** is in the process of undergoing changes that will, inevitably, impact its ability to continue the Palestinian struggle. However, the lack of internal democracy is a setback that is harming the movement. Holding internal party elections should reassert their credibility and increase their electoral clout to a reasonable degree.

26. Historically, **Trade Unions** have had a significant positive role. However, with icons retaining their leadership positions interminably, unwarranted fossilization has resulted. Leadership that places personal interests ahead of those of the collective body is doomed to impotence and irrelevance with regard to the organization's aims.

27. Many of the **CSOs** that focused on political factions failed to combine community and party tasks, both in their organizational activities and their personnel hiring practices. Ultimately, they also succumbed to the same favoritism practices that they claimed to oppose. Unfortunately, such practices allowed narrow factional considerations to prevail over coordination efforts in the NGOs' agendas. An evaluation of these NGOs' activities and procedures may lead to the conclusion that they merely fill a partisan role rather than a civil society component.

28. **Civil Society Organizations** were impacted by the unfolding of distressing events, and their effectiveness was compromised by dabbling with politics instead of focusing on objectives. In light of the complexity of the conditions, these results are somewhat understandable; however, they should not cause the course of such organizations to deviate from their specific mission.

APPENDICES



Appendix #1

Executive Committee of the PLO¹

Name	Position	Telephone	Fax
Mahmoud Abbas	Chairman of Executive Committee	08- 2822366	08-2822365
Farouq Kaddumi	Political Section	002161-233816	002161-230105
Yasser Abed Rabbo	Information Department	02-2954043	02-2954042
Zakaria Al Agha	National & International Department	08-2824428	08-2821388
Zuhdi Nashashibi	Economic Department	08-2820696	08-2826188
Samir Ghosheh	Member	02-2964989	02-2986292
Ali Ishaq	Member	02-2958797	02-2988797
Mahmoud Isma'eel	Member	08-2828271	08-2846944
Emil Jarjou'i	Member	02-2766401	02-2741540
Riad Al Khudari	Member	08-2823180	08-2837772
Abdel Rahim Mallouh ²	Member	02-2959768	02-2959767
Ghassan Shak'a	Member	09-2374690	09-2379313
Tayseer Khaled	Member	09-2385577	09-2385577
Salim Al Za'noun	Chairman Palestinian National Council	08-2826325	08-2829153

¹Yasser Arafat, Faisal Husseine, Sulaiman Najab and Yaser Amer have been died. While Dr. Abdel Rahman had already requested his release from the responsibility of the department.

²Mr. Abdel Raheem Mallouh has been arrested by the Israeli Army since 11/6/2002

Appendix #2 Council of Ministers of the PNA

	1 st Cabinet	2 nd Cabinet	3 rd Cabinet	4 th Cabinet	5 th Cabinet	6 th Cabinet	7 th Cabinet	8 th Cabinet	9 th Cabinet
Prime Minister	Apr. 94 – June 96	June 96 – Mar. 98	Mar. 98 – June 2002	June 2002 – October 2002	October 2002 – April 2003	April 2003 – September 2003	Sept. 2003 – Nov. 2003	Nov. 2003 – present	February 2005
Finance	Yasser Arafat Mohammed Z. Nashashibi	Yasser Arafat Mohammed Z. Nashashibi	Yasser Arafat Mohammed Z. Nashashibi	Yasser Arafat Salam Faiad	Yasser Arafat Salam Faiad	Mahmoud Abbas Salam Faiad	Ahmad Qurei Salam Faiad	Ahmad Qurei Salam Faiad	Ahmad Qurei Salam Faiad
Education ³	Yasser Amer	Yasser Amer	Yasser Amer	Na'eem Abu Ehomus	Na'eem Abu Ehomus	Na'eem Abu Ehomus	Na'eem Abu Ehomus	Na'eem Abu Ehomus	Na'eem Abu Ehomus
Higher Education		Hanan Ashrawi	Munther Salah						
Information ⁴	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Nabil Shath
Culture	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yasser Abed Rabbo	Yehia Yakhlef
Labor	Samir Ghosheh	Samir Ghosheh	Rafiq Al Natsheh	Ghassan Elkhatieb	Ghassan Elkhatieb	Ghassan Elkhatieb	Ghassan Elkhatieb	Ghassan Elkhatieb	Hasan Abu Libda
Social Affairs	Intisar Al Wazir	Intisar Al Wazir	Intisar Al Wazir	Intisar Al Wazir	Intisar Al Wazir	Intisar Al Wazir	Intisar Al Wazir	Intisar Al Wazir	Intisar Al Wazir
Tourism and Archaeology	Elias Freij	Elias Freij	Mitri Abu 'Eitah	Nabil Qasees	Nabil Qasees	Mitri Abu 'Eitah	Mitri Abu 'Eitah	Mitri Abu 'Eitah	Ziad Al-Bandak
Planning and International Cooperation ²	Nabil Sha'th	Nabil Sha'th	Nabil Sha'th	Nabil Sha'th	Nabil Sha'th				
Planning	--	--	--	--	--	Nabil Qasis	Salam Faiad	Nabil Qasis	Ghassan Al-Khateib
Foreign Affairs	--	--	--	--	--	Nabil Sha'th	Nabil Sha'th	Nabil Sha'th	Naser Al-Qudwa
Jerusalem	Faisl Hussein	Faisl Hussein	Ziad Abu Zayyad	Samir Ghosheh	Samir Ghosheh				
Health	Abdel Hafiz Al Ashhab	Ryad Al-Za'noon	Ryad Al-Za'noon	Ryad Al-Za'noon	Ahmed Shibi	Kamal Shrafi	Jawad Tibi	Jawad Tibi	Thihni Al-Waheidi
Justice	Freih Abu Medden	Freih Abu Medden	Freih Abu Medden	Ibrahim El Doghmeh	Zuhier Surany	Abel AlKarim Abu Salah	Nahed Al Raies	Nahed Al Raies	Fareed Al-Jalad
Local Government	Sa'eb Ireiqat	Sa'eb Ireiqat	Sa'eb Ireiqat	Sa'eb Ireiqat	Sa'eb Ireiqat	Jamal Shobaki	Jamal Shobaki	Jamal Shobaki	Khalid Al-Qawasmi
Civil Affairs	Jamil Al Tarifi	Jamil Al Tarifi	Jamil Al Tarifi	Jamil Al Tarifi	Jamil Al Tarifi				Mohammad Dahlan
Waqf and Religious Affairs	Hassan Tahboub	Hassan Tahboub							Yousef Salameh
Commerce and Economy ¹	Ahmad Qurei	Maher Al Masri	Maher Al Masri	Maher Al Masri	Maher Al Masri	Maher Al Masri	Ahmad Qurei	Ahmad Qurei	Mazen Sunnokrot
Agriculture	--	Abdel Jawad Saleh	Hikmat Zeid	Rafiq El Natshea	Rafiq El Natshea	Rafiq El Natshea	Salam Faiad	Rawhi Fattooh	Walid Abed Rabbo
Industry ¹	--	Bashir Al Barghuthi	Sa'di Alkrunz						

Transportation & Communication	Abdel Aziz Haj Yehea	Ali AlQawasm	Ali AlQawasm	Abdel Aziz Shahin	Abdel Aziz Shahin	Abdel Aziz Shahin	Abdel Aziz Shahin	Metry Abu Eta	Sa'di Alkrunz	Abed Al Rahman Hamad	Hekmat Zeid	Sa'd Aliddin Khourmeh
Supplies ¹	--	Abdel Aziz Shahin	Abdel Aziz Shahin	Abdel Aziz Shahin	Abdel Aziz Shahin	Abdel Aziz Shahin	Abdel Aziz Shahin	--	--	--	--	
Housing	Zakaria Al Agha	Abdel Rahman Hamad	Abdel Rahman Hamad	Abdel Rahman Hamad	Abdel Rahman Hamad	Abdel Rahman Hamad	Abdel Rahman Hamad	Abdel Rahman Hamad	--	--	--	Mohammad Ishtayyeh
Public works	--	Azzam Al Ahmad	Azzam Al Ahmad	Azzam Al Ahmad	Azzam Al Ahmad	Azzam Al Ahmad	Azzam Al Ahmad	Azzam Al Ahmad	--	--	--	
Housing and Public works ²	--	--	--	--	--	--	--	--	Hamdan Ashour	Abed Al Rahman Hamad	Abed Al Rahman Hamad	
Interior	--	--	--	--	--	--	--	Hany El Hasan	Mahmoud Abbas	--	Hakam Balawi	Naser Yousef
Post and Telecommunications ¹	--	Imad Al Faluji	Imad Al Faluji	Imad Al Faluji	Imad Al Faluji	Imad Al Faluji	Imad Al Faluji	Imad Al Faluji	-----	-----	-----	
Telecommunications	--	--	--	--	--	--	--	--	--	Abed Al Rahman Hamad	Azam Al Ahmad	Sabri Sedam
Energy	--	--	--	--	--	--	--	Abdel Rahman Hamad	Azzam Al Shawa	Salam Fiad	--	
Prisoner Affairs	--	--	Hisham Abdel Razeq	Hisham Abdel Razeq	Hisham Abdel Razeq	Hisham Abdel Razeq	Hisham Abdel Razeq	Hisham Abdel Razeq	Hisham Abdel Razeq	Jamal Shobaki	Hisham Abdel Razeq	Sufian Abu Zaydeh
Environment Affairs	--	--	Youssef Abu Safieh	Youssef Abu Safieh	Youssef Abu Safieh	Youssef Abu Safieh	Youssef Abu Safieh	--	--	--	--	
Youth and Sports	Azmi Shu'abi	Talal Sider	Talal Sider	Talal Sider	Talal Sider	Talal Sider	Talal Sider	--	--	Jamal Shobaki	Salah Al Ta'mari	Sakher Bsaiso
Parliamentary Affairs	--	--	Nabil Amer	Nabil Amer	Nabil Amer	Nabil Amer	Nabil Amer	--	--	--	--	
NGO Affairs	--	--	Hassan Asfour	Hassan Asfour	Hassan Asfour	Hassan Asfour	Hassan Asfour	--	--	--	--	
Bethlehem 2000	--	Nabil Kassis	Nabil Kassis	Nabil Kassis	Nabil Kassis	Nabil Kassis	Nabil Kassis	--	--	--	--	
Minister of State	--	--	Salah Al Ta'mari	Salah Al Ta'mari	Salah Al Ta'mari	Salah Al Ta'mari	Salah Al Ta'mari	--	Abed Fatah Hamatiel	--	Suliaman Abu Saneneh & Qadora Faris	Hind Khoury Ahmad Majdalani
Secretary General	--	Ahmad Abdel Rahman	Ahmad Abdel Rahman	Ahmad Abdel Rahman	Ahmad Abdel Rahman	Ahmad Abdel Rahman	Ahmad Abdel Rahman	Ahmad Abdel Rahman	Hakam Bala'wi	--	Hassan Abu Lebdeh	Sameer Hleileh
Secretary- General of the Presidency	--	Al Tayyeb Abdel Rahim	Al Tayyeb Abdel Rahim	Al Tayyeb Abdel Rahim	Al Tayyeb Abdel Rahim	Al Tayyeb Abdel Rahim	Al Tayyeb Abdel Rahim	--	--	--	--	
Security Affairs	--	--	--	--	--	--	--	--	Mohammad Dahlan	--	--	
Negotiations Affairs	--	--	--	--	--	--	--	--	Sa'eb Irikat	--	Sa'eb Irikat	
Woman Affairs	--	--	--	--	--	--	--	--	--	--	Zahera Kamal	Zahera Kamal
Minister of Council Ministers	--	--	--	--	--	--	--	--	Yaser Abed Rabou	--	--	

Shaded area indicates membership at the PLC

³ Immerged with other ministry.

⁴ Split into two ministries

Appendix #3

Official Palestinian Departments and Institutions

Institution	Contact Person	Telephone	Fax
Palestine Legislative Council	Rawhi Fatooh	02-2958893	02-2987712
Palestinian Economic Council for Development & Reconstruction (PECDAR)	Mohammad Shtayeh	02-2362300	02-2347041
Palestinian Geographic Center	Yunis Al Qawaasmi	02-2404711	02-2404712
National Center for Public Administration and Human Resource Development	Mohammad Naja	08-2829260	08-2824090
National Center for Studies and Documentation	Abdillah AlHorani	08-2865716	08-2822028
Palestinian Red Crescent Society		02-2406515	02-2406518
Palestinian Central Bureau of Statistics	Loai Shabaneh	02-2406340	02-2406343
Negotiations Affairs Department	Saeb Irikat	02-2963741	02-2963740
Dar Al Fatwa	Sheikh Ikrima Sabri	02-6285082	02-6285082
Diwan Al Fatwa and Legislation	Ibrahim Al Daghmeh	08-2829197	08-2829197
Personnel Department	Mohammad Abu Sharee'a	02-2980640	02-2987793
Palestinian Petrol Authority	Mahmoud Bader	02-2404988	02-2404003
Palestinian Environment Authority	Sufian Sultan	02-2929269	022929279
Palestinian Tobacco Authority	Ahmad Al Agha	02-2987561	02-2987507
Palestinian Energy Authority	Abdel Malek Al Jaber	02-2986192	02-2986191
Palestinian Water Authority	Mohammad Abu Gharbiyyeh	08-2822696	08-2822697
Palestinian Monetary Authority	Ameen Hadad	02-2959920	02-2959922
Martyrs Families & Prisoners' Institution	Youssef Jubran	02-2964027	02-2986268
Civil Aviation Authority	Fayez Zidan	08-2822800	08-2821309
Palestine Standards Institution	Issa Abu Arram	02-2964433	02-2965191
Political Guidance Commission	Othman Abu Gharbiyyeh	02-2987618	02-2987619
Palestinian National Archives Center	Mohammad Bheis	02-2349888	02-2349888
Government Computer Center	Ghassan Kaddah	08-2829262	08-2863900
Palestinian Curriculum Development Center	Salah Yassin	02-2406174	02-2401550
Radio & TV Authority	Radwan Abu Ayyash	02-2959890	022959893
General Control Bureau	Jarrar Al Qudweh	08-2827337	08-2821703
"Wafa" Palestinian News Agency	Ziad Abdel Fattah	08-2824036	08-2824046
Environment Authority	Yousef Abu Safieh	02-2403495	02-2403494
Non Governmental Organization Department	Hassan Asfour	02-2401370	02-2401371
Refugee Affairs Department	Mahmoud Abbas	02-2961132	02-2961313
Land Authority	Fraih Abu Median	02-2955166	02-2987705
Committee of Insurance and Salaries	Maged Al Helo	02-2966042	
High Committee of Fund and Investment	Mohammad Nashashibi	02-2967298	02-2967297
Committee of Industrial Towns	Ismail Abu Shhadeh	02- 2801028	02-2801034
National Association Office	Samir Shhadeh	02- 2986623	02- 2986322
Boarders Administration	Nathmi Mhanna	02- 2965868	02- 2965868
Higher Judge Council	Tayseer al Tamimi	02-2965868	02-2965868
Harbors Authority	Ali Shaath	08-2826737	08-2826747

Appendix #4
Palestinian Security Establishments

Institution	Commander	Telephone	Fax
National Security	Abdel Razaq Majedeh	08-2822803	08-2829479
General Security	Salim Bardini	08-2829425	08-2822335
General Intelligence	Amin Al Hindi	08-2829015	08-2829312
Military Intelligence	Mussa Arafat	08-2822932	08-2829114
Preventive Security-W.B.	Ziad Hab Al Reeh	02-2901801	02-2901807
Preventive Security- Gaza	Rashid Abu Shbak	08-2825415	08-2825044
Force 17	Faisal Abu Sharkh	08-2829323	08-2829324
Naval Police	Jawad Abu Hassan	08-2833610	08-2833620
Border Crossing Security	Nathmi Muhanna	08-6713684	08-6713685
President Advisor for Social Affairs	Jebreel Al Rjoob	02-2981317	08-2981372

Appendix #5
PNA Governorates

District	Governor	Telephone	Fax
Jerusalem	Jamil Othman Nasser	02-2799074	02-2799076
Ramallah & Al Bireh	Mustafa Al Liftawi	02-2958588	02-2986575
Hebron	Areef Roobeen Al Jabari	02-2226405	02-2229345
Bethlehem	Zuheir Manasreh	02-2741667	02-2741666
Jericho & Jordan Valley	Sami Musalam	02-2321242	02-2321291
Nablus	Mahmoud Al Aloul	09-2383047	09- 2389913
Qalqilia	Mustafa Al Malki	09-2942921	09- 2942922
Jenin	Qadura Musa	04-2503220	04- 2503222
Tulkarem	Izildeen AlShareef	09-2673334	09- 2673334
Gaza	Mohammad AlQudweh	08-2828694	08- 2828684
North Gaza	Sakher Bseiso	08-2477146	08- 2477854
Khan Younis	Husnie Zuorb	08-2054875	08- 2054845
Rafah	Abed Al Mageed Al Agha	08-2539334	08- 2539334
Central	Abdalla Abu Samhadaneh	08-2539330	08- 2539334

Appendix(6/ a) (a) Higher Judicial Council

Head high court - Chief Judge	Zuher Al Surani
Supreme Court Judge, Deputy	Sami Sarsour
Supreme Court Judge	Fayez Hamdan Al Qidreh
Judge, High Court	Mohammad Soboh
Deputy Justice Minister	Asad Mobarak
Head, Court of Appeals	Ishaq Mohanna
Head, Court of Appeals	Imad Salim
Attorney General	Hussen Abu Assi
Attorney General	Fareed Al Jallad

Appendix # (6/b)

(b) Palestinian Judiciary System

Position	Name
Head, High Court	Zuher Al surani
Head, Court of Appeals /Gaza	Ishaq Mohanna
Head, Court of Appeals /Ramallah	Imad Salim
Attorney General	Hussein Abu Assi
Grand Mufti	Ikrima Sabri
Mufti of the Security Forces	Abdel Salam Abu Shkheidem
Chief Religious Court	Tayseer Biyouid Tamemi

Appendix #7

(a) The Speaker's Bureau

Speaker:	Rawhi Fattouh
1st Deputy:	Hasan Khreisheh
2nd Deputy:	Ghazi Hanania
Council Secretary:	Ahmad Naser

(b) PLC Committees – 9th session⁵**Jerusalem Committee**

Name	Position
Ahmad AlZughayar	Chairman
Ahmad AlBatch	Rapporteur
Bishara Da'oud	Member
Hanan Ashrawi	Member
Fouad Eid	Member
Faraj AlSarraf	Member
Hatem Eid	Member
Emil Jarjoui	Member

Refugee Committee

Name	Position
Jamilah Seidam	Chairman
Kamel Al Afghani	Rapporteur
Jamal Al Shatti	Member
Hatem Eid	Member
Ali Abul Reesh	Member
Abed Rabboh Abu Oun	Member
Mussa Abu Sabha	Member
Faiz Zaidan	Member

Land & Settlement Confrontation Committee

Name	Position
Bishara Da'oud	Chairman
Othman Ghashash	Rapporteur
Zahran Abu Qbeitah	Member

⁵ The Council Affairs Committee composed of 17 members representing the speaker Bureau (4 members) and the Head of Committees (10 members) in addition to female members (Rania Shawa, Jamileh Seidam and Dalal Salameh)

Budget & Financial Affairs Committee

Name	Position
Sadi Al Quronz	Chairman
Fakhri AlTurkman	Rapporteur
Jalal Musaddar	Member
Da'oud Al Zir	Member
Ra'fat El Najar	Member
Ibrahim al Habbash	Member
Abdel Aziz Shahen	Member
Youssef Al Shanti	Member
Mu'awiya Al Masri	Member
Yousif Abu Safieh	Member
Rawya Al shawa	Member
Ziad abu amr	Member
Abdel Jawad Saleh	Member
Abdel Karim Abu Saleh	Member

Economic Committee

Name	Position
Azmi Shaibe	Chairman
Jalal Musaddar	Rapporteur
Hashem Daraghmeh	Member
Ali Qauasmi	Member
Ahmad Zghier	Member
Da'ud El Zair	Member
Rawya Al shawa	Chaairman
Fayez Zeidan	Member
Abdel Fatah Hamayel	Member

Political Committee

Name	Position
Marwan Kanafani	Chairman
Dalal Salameh	Rapporteur
Ahmad AlDeek	Member
Hanan Ashrawi	Member
Abas Zaki	Member
Kamal AlSharafi	Member
Ziad Abu Amr	Member
Ziad Abu Zayyad	Member
Abdel Aziz Shaheen	Member
Ali Qawasmi	Member
Fakhri Shaqqura	Member
Emad Faluje	Member

Judicial Committee

Name	Position
Ziad abu Ziad	Chairman
Suleiman AlRumi	Rapporteur
Ra'fat AlNajjar	Member
Faraj AlSarraf	Member
Mahmoud Da'as	Member
Azmi AlSh'eibi	Member
Jawad Al Tibi	Member
Karam Zarandah	Member
Abdel Karim Abu Salah	Member
Yousef Alshanti	Member
Hatem Abdel Qader	Member
Hanan Ashrawi	Member
Al- Natsheh	Member
Ghassan Al- Shakaah	Member
Mouhammad Hourani	Member
Marwan Barghouti	Member

Monitoring & Human Rights Committee

Name	Position
Jamal Al Shati	Chairman
Emad Al Falouji	Rapporteur
Mohammad Hijazi	Member
Abdel Jawwad Salah	Member
Abed Rabbo Abu 'Oun	Member
Ali Abul Reesh	Chairman
Kamal Al-Suratie	Member
Ghassan Al-Shakaa'	Member
Rafiq Al-Natsheh	Member
Mussa Abu Sabha	Member
Jamilah Seidam	Member
Hussam Khader	Member
Aahmad Al Batsh	Member
Marwan Barghouti	Member
Marwan Kanafani	Member
Mohammad Hourani	Member

Education & Social Issues Committee

Name	Position
Abbas Zaki	Chairman
Mussa Al Za'bout	Rapporteur
Ahmad Al-Shaibi	Member
Ibrahim Al Habbash	Member
Dalal Salameh	Member
Zuhran Abu Qubeitah	Member
Riad Al Zanoun	Member
Sulaiman Al roomi	Member
Moufeed Abd Rabo	Member
Ahmad Al-Deek	Member
Barhan Jarah	Member

Internal, Security and Local Government Committee

Name	Position
Fakhri Shaqoura	Chairman
Burhan Jarrar	Rapporteur
Mohammad Hijazi	Member
Hashem Daraghmeh	Member
Mahmoud Da'as	Member
Mousa Al-Zabout	Member
Ahmad Al-Shibi	Member
Abdel Fatah Hamayel	Member
Abdel Fatah Hamayel	Member

Appendix #8
(a) Table of bills presented to the PLC

# of bill	Bill	Presenting Party	Date	Date Presented	Referred to Sub committees	General discussion	1st Reading	2nd Reading	3rd Reading	Referred to President	Promulgated
1/96 E	Basic Law	Mister of Justice / Freih Abu Mdein	5/5/96	8/5/96	8/5/96	10/7/96	1/9/96	17/9/97	2/10/97	4/10/97	
2/96/MO	Electing Palestinian local Councils	Cabinet	20/3/96	8/5/96	8/5/96	22/8/96	10/10/96	1/12/96			16/12/96
3/96/MO	Civil Service	Cabinet	8/5/96	8/5/96	8/5/96	7/11/96	29/1/97	3/6/97		4/6/97	28/5/98
4/97/MO	Palestinian local Councils	Cabinet				4/2/97	12/2/97	2/7/97	14/7/97	2/17/97	12/10/97
5/97/MO	1997 Budget	Cabinet	15/3/97	15/3/97	15/3/97	27/3/97	11/4/97	30/6/97		15/12/97	27/5/97
6/97/MO	Monetary Authority	Cabinet	7/5/96	7/5/96	7/5/96	16/6/97	30/6/97	30/9/97			16/12/97
7/97/MO	Real Estate ownership in Palestine by foreigners	Judicial Committee	16/6/97	16/6/97	16/6/97	15/7/97	18/9/97	25/11/97			4/10/97
8/97/MO	The Palestinian General Petroleum Authority	Cabinet	7/12/97	19/4/97	10/7/97	14/7/97	1/12/98	6/11/99	6/4/99	19/4/99	24/6/99
9/97/L	Regulating the Law profession	Budget Committee	9/7/97	10/7/97	10/7/97	19/3/98	2/4/98	14/4/98		20/4/98	3/8/98
10/97/L	Regulating General Budget and Financial Affairs	Budget Committee	30/4/97	9/3/98	19/3/98	13/10/97	14/10/97	10/12/97		9/3/98	2/11/98
11/97/MO	Protection of animal resources	Cabinet	11/4/97	30/9/97	30/9/97	10/11/97					
12/97/MO	Political parties	Cabinet	24/1/97	30/9/97	30/9/97						
13/97/L	Rehabilitation and reformatory centers (prisons)	Cabinet									
14/97/L	Judicial Authority	Control Bureau	20/11/97			25/11/9	2/4/98	28/4/98		2/5/98	28/5/98
15/97/MO	Local Institutions Development	Committee	8/6/97			12/11/97	25/6/98	2/9/98	25/11/98	5/12/98	
16/97/MO	Bank	Judicial Committee									
17/97/MO	Veterinarians	Cabinet	11/4/97	30/9/97	30/9/97	30/9/97	Postponed pending - approval of Banking Law				
18/97/MO	Civil Defense	Cabinet	27/3/97	30/9/97	30/9/97	30/9/97	Postponed pending - approval of Trade Union LI				
19/97/A	Fire-arms and ammunition	Cabinet	11/4/97	30/9/97	30/9/97	25/11/97	8/1/98	31/3/98	20/4/98	20/4/98	28/5/98
20/97/A	Charitable Societies and Civil Organizations	Cabinet	19/4/97	30/9/97	30/9/97	25/11/97	7/1/98	2/4/98			20/5/98
21/97/A	Encouraging investment in Palestine	Members	13/10/97	13/10/97	13/10/97	9/12/97	30/5/98	30/7/98	25/5/99	12/8/99	16/1/00
22/97/MO	Regulating work of Commercial Agents	Members	10/11/97	10/11/97	10/11/97	9/12/97	19/3/98	14/4/98		20/4/98	23/4/98
23/97/A	Establishing the Palestinian Center for rural development	Members	10/11/97	10/11/97	10/11/97	9/12/97	7/1/99	20/4/99	24/6/99	15/7/99	16/1/00
24/97/MO	Fund for supporting martyr families, prisoners & wounded sub- committee for review	Cabinet	19/4/97	30/9/97	30/9/97	18/8/98	returned to PLO				
25/97/MO	Public rallies	Members	30/9/97	30/9/97	30/9/97	28/7/98	19/8/98	Presented for 1st reading & referred to			
26/97/MO	Branding and checking precious ores	Cabinet	27/3/97	30/9/97	30/9/97	28/4/98	20/8/98	25/11/98		19/12/98	28/12/98
27/97/MO	Appointing "Mukhtars" Protecting natural resources in Gaza Strip	Cabinet	17/3/97	30/9/97	30/9/97	25/11/97	9/12/97	17/3/98		24/3/98	28/5/98
28/97/A	National Service	Cabinet	11/4/97			2/7/97	Refused				
29/1-97/MO	General supplies	Cabinet	19/4/97	30/9/97	30/9/97	30/9/97	Returned to PNA				
29/2-97/MO	Tenders for public works	Member/ 'Azmi Al Su' eibi	31/8/97	19/3/98	19/3/98	27/5/98	Subdivided to: 1) legal 2) General Supplies 3) Public Works				
30/98/MO	Natural Resources	Cabinet	13/7/98	19/3/98	19/3/98	27/5/98	14/7/98	18/8/98		14/9/98	2/11/98
31/98/MO	General Statistics	Cabinet	13/7/97	19/3/98	19/3/98	27/5/98	1/9/98	25/11/98	9/6/99	27/6/99	28/12/99
32/98/MO	Industrial towns and free zones	Cabinet	24/11/98	17/3/98	17/3/98	28/4/98	18/8/98	5/11/98	5/12/98	24/1/99	8/7/02
33/98/E	Relief and rehabilitation of the handicapped	Cabinet	24/11/98	17/3/98	17/3/98	17/3/98	29/3/02	2/5/02	7/6/02	17/6/02	
34/98/MO	The 1998 PNA General Budget	Member/ 'Azmi Al Shu' eibi	10/3/98	19/3/98	19/3/98	18/8/98	Incorporated with the bill handicapped rights bill				
35/98/MO	Civil Affairs	Cabinet	27/11/98	31/3/98	31/3/98	28/4/98	Declared on 29/6/98				8/6/99
36/98/MO	Environment	Cabinet	16/5/98	17/5/98	17/5/98	18/8/98	27/5/99	6/7/99	2/14/99	10/5/99	28/12/9
37/98/MO	Palestinian Higher Education	Cabinet	16/5/98	17/5/98	17/5/98	27/5/98	13/7/98	30/7/98		19/8/98	2/11/98

38/98/L	Palestinian Labor	Education Committee	8/3/98	10/3/98	10/3/98	27/5/98	24/12/98	27/10/99	29/3/02	2/4/02	30/4/02
39/98/L	Public Health Insurance	Education Committee	20/5/98	10/3/98	10/3/98	5/11/98	6/1/99	16/3/99	25/5/99	2/6/99	9/8/99
40/98/A	Rights of Handicapped	Members	16/3/98	19/3/98	19/3/98	5/11/98	17/8/02	11/3/01	22/4/01	23/5/01	
41/98/L	Palestinian Income Tax	Budget Committee	18/10/98	5/11/98	5/11/98	8/12/98					
42/98/MO	Control of citruses	Cabinet	25/10/98	5/11/98	5/11/98	8/12/98	10/3/01	24/6/01	15/9/01	20/9/01	21/5/02
43/98/MO	Banks	Cabinet	25/10/98	5/11/98	5/11/98	8/12/98	3/11/99	13/3/00	9/4/00		
44/98/MO	Administrative formations	Cabinet	4/11/98	10/11/98	10/11/98	8/12/98					
45/98/MO	Supplies	Cabinet	4/11/98	10/11/98	10/11/98	1/12/99					
46/98/E	Author's and patent rights	Member/ 'Azmi Al Shu' eibi	1/3/99	16/3/99	16/3/99	1/12/99					
47/99/E	Print and Publications	Cabinet	13/3/99	16/3/99	16/3/99	25/5/99	Rejected due to issuance of President decree published in the official gazette				
48/99/MO	1999 PNA General Budget	Cabinet	5/4/99	5/4/99	5/4/99	The President recuperated the budget on June 9, 99					17/9/00
49/99/MO	Traffic	Cabinet	19/4/99	20/4/99	20/4/99	23/6/99	16/12/99	15/2/00	8/6/00	17/6/00	
50/99/MO	Amendment of Branding and controlling precious ores' law	Member/Mu'awiya Al masri	19/4/99	20/4/99	20/4/99	The President recuperated the law on 27/9/99					
51/99/E	Palestinian Medical Council	Cabinet	25/4/99	11/5/99	11/5/99	25/5/99	Postponed, pending the completion of health laws				
52/99/MO	Regulating the sale and use of pesticides	Cabinet	16/6/99	24/6/99	24/6/99	1/12/99	18/5/00	Delayed			
53/99/MO	Arbitration	Cabinet	16/6/99	24/6/99	24/6/99	6/7/99	23/11/99	3/2/00	22/2/00	5/4/00	
54/99/MO	General Budget for fiscal year 99	Cabinet	13/7/99	14/10/99	14/10/99	14/7/99	Declared on 12/8/99				4/9/99
55/99/A	Standards and Measurements	Members	21/7/99	14/10/99	14/10/99	1/12/99	16/2/00	12/4/00	28/6/00	1/7/00	17/9/00
56/99/MO	Punitive procedures	Cabinet	3/8/99	14/10/99	14/10/99	27/10/99	15/2/00	28/6/00	23/7/00	12/5/01	
57/99/MO	Fund to compensate farmers victim of natural disasters	Cabinet	3/8/99	14/10/99	14/10/99	1/12/99					
58/99/MO	Consular Fees	Cabinet	3/8/99	14/10/99	14/10/99	1/12/99	17/5/00	8/6/00	24/6/00	30/1/01	
59/99/MO	Water	Cabinet	31/8/99	14/10/99	14/10/99	1/12/99	28/9/00	8/8/01	18/2/02	28/2/02	
60/99/MO	General Budget for fiscal year 2000	Cabinet	7/11/99	17/11/99	17/11/99	26/1/00					
61/99/E	Amended Law to regulate practice of Law	Member/ Freih Abu Mdein	18/11/99	18/11/99	18/11/99	25/11/99		27/11/99	28/12/99		
62/99/MO	Formation of regular courts	Cabinet	2/12/99	14/12/99	14/12/99	15/12/99	12/3/00	13/3/00	17/5/00	18/5/00	12/5/01
63/99/MO	Social Insurance	Cabinet	1/12/99	14/12/99	14/12/99	28/9/00	11/3/01	24/6/01	29/7/01	19/10/03	
64/99/L	Banning torture of detainees and prisoners	Cabinet	19/12/99	30/12/99	30/12/99	17/5/00					
65/2000/MO	General Health	Control Bureau Committee	26/1/00	3/2/00	3/2/00	12/3/00	3/12/03				
66/2000/MO	Civil and Commercial Court procedures	Cabinet	26/1/00	3/2/00	3/2/00	19/9/00	28/9/00	23/10/00	12/5/01	14/5/02	
67/2000/MO	Amended Judicial Authority	Cabinet	26/1/00	3/2/00	3/2/00	3/5/00	8/8/00	16/8/00	5/4/01	16/4/01	
68/2000/MO	Housing Rents and Real Estate	Cabinet	4/4/00	3/5/00	3/5/00	3/5/00					
69/2000/MO	Civil Aviation	Cabinet	19/4/00	3/5/00	3/5/00	28/9/00	17/9/03				
70/2000/E	Illegitimate profit	Member/ Abdul Fattah Hamaye	20/5/00	19/9/00	19/9/00						
71/2000/MO	Statements of content in civil and commercial items	Cabinet	6/6/00	7/6/00	7/6/00	28/6/00	9/8/00	16/8/00	18/9/00	12/5/01	5/10/02
72/2000/E	Jerusalem as Capital	Member/ 'Azmi Al Shu' eibi	7/6/00	8/6/00	8/6/00	8/6/00	19/7/00	20/7/00	28/9/00	29/9/00	
73/2000/MO	The Palestinian nursing and midwifery Council	Cabinet	27/6/00	20/7/00	20/7/00	1/8/00					
74/2000/E	Combating smoking	Member/ Marwan Barghouti	8/8/00	19/9/00	19/9/00	10/9/01					
75/2000/MO	Industry	Cabinet	29/3/00	19/9/00	19/9/00	28/9/00					
76/2000/MO	Regulating professional unions (engineers)	Cabinet	27/8/00	19/9/00	19/9/00	10/3/01					
77/2000/A	Regulating professional governmental teachers	Cabinet	2/9/00	19/9/00	19/9/00	10/3/01					
78/2000/E	Amendment of Local Council elections Law of 96	Member/ Abdul Fattah Hamayel	2/9/00	19/9/00	19/9/00	10/3/01					
79/2000/L	Amendment of Civil Affairs Law #2 of 1999	Interior Committee	6/9/00	19/9/00	19/9/00	28/9/00	5/4/01	24/6/01	30/7/01	21/10/01	
80/2000/MO	Agriculture	Cabinet	11/11/00	21/12/00	21/12/00	10/3/01	18/2/02	15/4/03	31/5/03	5/8/03	
81/2001/MO	Management of Orphan Property Association	Cabinet	24/1/01	14/2/01	14/2/01	10/3/01					

82/2001/L	Securities Committee	Budget Committee	11/2/01	14/2/01	14/2/01	10/3/01				
83/2001/L	Palestinian Capital Market Committee	Budget Committee	11/2/01	14/2/01	14/2/01	10/3/01				
84/2001/E	Social Insurance Fund	Member	13/2/01	14/2/01	14/2/01	10/3/01	16/1/02	6/10/02	8/10/02	22/10/02
85/2001/MO	General Budget for fiscal year 2001	Cabinet	10/3/01	10/3/01	10/3/01					
86/2001/MO	Amended Local Institutions Law	Cabinet	13/11/00	24/6/01	24/6/01					
87/2001/E	Unemployment Insurance	Member /Azmi Shua'iby	13/2/01	8/8/01	8/8/01					
88/2001/E	Dialing with Fire works	Member/ Abdul Fatah Hamayel	21/5/01	24/6/01	24/6/01	15/1/02				
89/2001/L	Jerusalem Municipality	Interior Committee	10/6/01	24/6/01	24/6/01	15/1/02	21/7/03			
90/2001/MO	Fees of Civil Courts	Cabinet	16/6/01	24/6/01	24/6/01	8/8/01	16/10/01	16/1/02	15/4/03	28/4/03
91/2001/MO	Profession of Auditing	Cabinet	26/6/01	8/8/01	8/8/01	8/8/01	16/1/02	6/10/02	8/10/02	22/10/02
92/2001/MO	Execution	Cabinet	28/6/01	8/8/01	8/8/01	8/8/01				
93/2001/MO	Punishment	Cabinet	6/9/01	15/9/01	15/9/01	16/10/01	14/4/03			
94/2002/L	Amended Judicial	Legal Committee	16/2/02	6/10/02	6/10/02	15/1/02	15/11/2002	14/2/02		
95/2002/A	Amended Rehabilitation & Reformatory Centers	Abdel Fatah Hamayel	16/2/02	6/10/02	6/10/02					
96/2002/MO	Work accidents for a Governmental Employee	Cabinet	16/2/02	6/10/02	6/10/02					
97/2002/MO	Palestinian Child	Cabinet	16/3/02	6/10/02	6/10/02	6/10/02	28/5/03	19/8/03		17/8/03
98/2002/A	Election	Azmi Al-Shouaibi	1/9/02	15/5/02	15/5/02					
99/2002/L	PLC Members' Duties and Rights	Legal Committee	6/10/02	4/11/02	4/11/02	4/11/02	12/12/02	13/1/02	2/2/03	23/2/03
100/2002/A	Amended Budget Regulations	Azmi Al-Shouaibi	30/10/02	12/12/02	12/12/02					
101/2002/A	Amended Industrial Towns	Azmi Al-Shouaibi	30/10/02	12/12/02	12/12/02	12/12/02	6/2/03	28/5/03	17/6/03	
102/2002/A	Amended Monetary Authority	Azmi Al-Shouaibi	30/10/02	12/12/02	12/12/02	12/12/02	13/1/03	28/5/03	2/6/03	17/6/03
103/2002/A	Amended Regulating Bids and Tenders	Azmi Al-Shouaibi	30/10/02	12/12/02	12/12/02	12/12/02	6/2/03	28/5/03	2/6/03	17/6/03
104/2002/A	Amended Encouraging Investments	Azmi Al-Shouaibi	30/10/02	12/12/02	12/12/02	12/12/02	6/2/03	28/5/03	17/6/03	
105/2002/L	Amended Standards and Regulations	Budget Committee	26/11/02	12/12/02	12/12/02	12/12/02	13/1/03	28/5/03	17/6/03	
106/2002/A	Compensation Fund for victims of Israeli Aggression	Azmi Al-Shouaibi	21/12/02	6/2/03	6/2/03	1/7/03				
107/2002/L	Finance and Economy Monitoring Bearou	Budget Committee	28/12/02	13/1/03	13/1/03	16/12/03				
108/2002/MO	General Budget 2003	Cabinet	31/12/02	6/2/03	6/2/03	Declared on 1/2/03				
109/2003/MO	Planting Human Organs	Cabinet	16/1/03	6/2/03	6/2/03					
110/2003/MO	Social Care Fund	Cabinet	6/2/03	14/4/03	14/4/03					
111/2003/MO	Amended Basic Law	Cabinet	10/3/03	10/3/03	10/3/03	10/3/03	10/3/03	10/3/03	18/3/03	18/3/03
112/2003/A	Electricity	Abdel Rahman Hamad	5/4/03	14/4/03	14/4/03	28/5/03				
113/2003/L	Amended Judicial Authority	Legal Committee	14/4/03	14/4/03	14/4/03	14/4/03				
114/2003/A	Professional Associations	Abdel Fatah Hamaiel	15/4/03	1/7/03	1/7/03					
115/2003/A	Palestinian Youth	Mufeed Abed Raboo	10/6/03	1/7/03	1/7/03					
116/2003/A	Prisoners and Liberated	Abdel Jawad Saleh	13/7/03	20/7/03	20/7/03					
117/2003/MO	Arafat Fund for Social Care	Cabinet	14/7/03	20/7/03	20/7/03					
118/2003/MO	Amended Standards and Regulations	Cabinet	14/7/03	20/7/03	20/7/03					
119/2003/MO	Amended for the Amended Industrial Towns	Cabinet	14/7/03	20/7/03	20/7/03					
120/2003/MO	Agriculture, Industrial and Comers Chambers	Cabinet	8/7/03	18/8/03	18/3/03					
121/2003/MO	Drugs and brain stimulus	Cabinet	3/8/03	18/8/03	18/8/03					
122/2003/L	Insurance	Economic Committee	11/8/03	18/8/03	18/8/03					
123/2003/L	Encouraging competition and Prevent Monopoly	Economic Committee	11/8/03	18/8/03	18/8/03					
124/2003/L	Industrial ownership	Economic Committee	11/8/03	18/8/03	18/8/03					
125/2003/L	Trade	Economic Committee	11/8/03	18/8/03	18/8/03					
126/2003/MO	Amended Civil Services	Cabinet	8/7/03	19/8/03	19/8/03					
127/2003/MO	Amended associations and Civil Society Organization	Cabinet	12/7/03	18/8/03	18/8/03	18/8/03	19/8/03			
128/2003/L	Insurance and Salaries for Security forces	Budget and Interior Committees	17/9/03	2/12/03	2/12/03					

129/2003/MO	Old archeology validity (No.51, 1966)	Cabinet	30/10/03	2/12/03	2/12/03	
130/2003/MO	Post	Cabinet	30/10/03	2/12/03	2/12/03	
131/2003/MO	Forensic Medicine	Cabinet	30/10/03	2/12/03	2/12/03	30/12/03
132/2003/MO	Notary	Cabinet	30/10/03	2/12/03	2/12/03	
133/2003/MO	High Constitutional Court	Cabinet	30/10/03	2/12/03	2/12/03	
134/2003/MO	Governmental Budget 2004	Cabinet	3/12/03	3/12/03	3/12/03	
135/2003/A	Saving Public Documents	Hatem Abdel Qader	21/12/03	30/12/03	30/12/03	
136/2004/MO	Consumer Protection	Cabinet	29/2/2004	10/3/2004	10/3/2004	
137/2004/MO	Public debit	Cabinet	29/2/2004	10/3/2004	10/3/2004	
138/2004/MO	Lands	Cabinet	2/3/2004	10/3/2004	10/3/2004	
139/2004/MO	Insurance Supervisory	Cabinet	27/3/2004			
140/2004/MO	Compulsory Insurance	Cabinet	27/3/2004			
141/2004/MO	Planning and construction	Cabinet	27/3/2004	1/4/2004	1/4/2004	30/6/2004
142/2004/MO	Regulating electronic signatures	Cabinet	27/3/2004	1/4/2004	1/4/2004	
143/2004/MO	Trade unions	Cabinet	27/3/2004	1/4/2004	1/4/2004	
144/2004/MO	Exchange and E commerce	Cabinet	27/3/2004	1/4/2004	1/4/2004	
145/2004/MO	Regulation for courts and Autonomy General	Cabinet	27/3/2004	1/4/2004	1/4/2004	30/6/2004
146/2004/MO	Regulating advertisements	Cabinet	27/3/2004	1/4/2004	1/4/2004	
147/2004/MO	Judicial Authority Law -Amended	Cabinet	27/3/2004	1/4/2004	1/4/2004	
148/2004/A	PLC Cabinet and governors compensations	Sa' di Al-Karnaz	1/4/2004	1/4/2004	1/4/2004	15/5/2004 2/10/2004
149/2004/A	Civil Status Amended	Azmi Al-Shouaibi	10/4/2004	13/4/2004	13/4/2004	
150/2004/A	General Statistics Amended	Abdel Fatah Hamatel	13/4/2004	5/5/2004	5/5/2004	
151/2004/L	Palestinian Capital Market Committee-Amended	Budget Committee	24/5/2004	27/5/2004	27/5/2004	14/10/2004 1/12/2004
152/2004/L	Palestinian Income Tax – amended	Budget Committee	24/5/2004	27/5/2004	27/5/2004	14/10/2004 1/12/2004
153/2004/MO	Social guarantee – amended	Cabinet	26/5/2004	30/6/2004	Transfer to Cabinet	
154/2004/A	Work accidents for Public Officers	Sliman Al-Roumi	1/7/2004	6/7/2004	6/7/2004	5/10/2004
155/2004/L	local councils elections Law - Amended	Interior Committee	7/7/2004	7/7/2004	7/7/2004	21/10/2004 1/12/2004
156/2004/MO	Palestinian Legal Institution	Cabinet	17/7/2004	30/8/2004	30/8/2004	
157/2004/MO	Civil and commercial court Law – Amended	Cabinet	17/7/2004	30/8/2004	30/8/2004	24/11/2004 16/12/2004 transfer to Cabinet
158/2004/MO	Social guarantee – amended	Cabinet	19/7/2004	28/8/2004	28/8/2004	28/8/2004 31/8/2004
159/2004/A	Unemployed Welfare	Sliman Al-Roumi	21/7/2004	30/8/2004	30/8/2004	Merged with the Social Guarantee Law
160/2004/MO	Pharmacists Association	Cabinet	24/7/2004	30/8/2004	30/8/2004	
161/2004/MO	Industry and crafts	Cabinet	24/7/2004	30/8/2004	30/8/2004	
162/2004/MO	Public retirement	Cabinet	4/8/2004	30/8/2004	30/8/2004	5/10/2004
163/2004/MO	Survey and Scurvies	Cabinet	4/8/2004	30/8/2004	30/8/2004	
164/2004/A	Prisoner Support	Sa' di Al-Karnaz	17/8/2004	28/8/2004	28/8/2004	28/8/2004 24/11/2004 13/9/2004 1/12/2004
165/2004/L	Amended Judicial Authority Law No. (1) 2002	Budget Committee	6/10/2004	6/10/2004	6/10/2004	8/12/2004
166/2004	Mertius Fund	Members	26/10/2004	24/11/2004	24/11/2004	
167/2004/A	Civil Court organization – Amended	Azmi Al-Shouaibi	23/11/2004	24/11/2004	24/11/2004	1/12/2004
168/2004	General Election – Amended	Members	30/11/2004	30/11/2004	30/11/2004	30/11/2004 30/11/2004
169/2004	Military Service Regulation	Members	22/12/2004	22/12/2004	22/12/2004	1/12/2004

170/2004/A	(preference)	Abdel Fatah Hamatel	27/12/2004
171/2004/MO	Religious Court	Cabinet	29/12/2004
172/2004/MO	Companies	Cabinet	29/12/2004
173/2004/L	Palestinian Law – Amended	Education Committee	30/12/2004
174/2004/A	Graduates	Sliman Al-Roumi	30/12/2004
175/2004/MO	Water Law – Amended	Cabinet	21/9/2004
176/2004/MO	Agricultural Law – Amended	Cabinet	3/6/2004
177/2004/MO	Amended Regulating Bids and tender	Cabinet	26/10/2004

Appendix #8

(b) Resolutions published in the Official Gazette after passing 3 readings, until the end of 2001

No.	Decree	Gazette #	Pages	Date of publication
1	Decree #5, 1996, Election of Palestinian Local Bodies.	16	6	30/12/1997
2	Decree #1, 1997, Palestinian Local Bodies.	20	5	29/11/1997
3	Decree #2, 1997, Palestinian Monetary Authority.	21	5	31/12/1998
4	Decree #1, 1998, Encouraging Investment.	23	5	08/06/1998
5	Decree #2, 1998, Firearms and Ammunition.	23	28	08/06/1998
6	Decree #3, 1998, Civil Defense.	24	5	01/07/1998
7	Decree #4, 1998, Civil Service.	24	20	01/07/1998
8	Decree #5, 1998, Branding and Controlling Precious Metals.	24	72	01/07/1998
9	Decree #6, 1998, Centers of Reformation and Rehabilitation.	24	87	01/07/1998
10	Decree #10, 1998, Cities and Free Industrial Zones.	27	5	08/12/1998
11	Decree #11, 1998, Higher Education.	27	28	08/12/1998
12	Decree #12, 1998, Public Meetings.	28	6	13/03/1998
13	Decree #1, 1999, Natural Resources.	28	10	13/03/1998
14	Decree #2, 1999, Civil Affairs.	29	6	17/07/1998
15	Decree #9, 1998, General Supplies.			
16	Decree #4, 1999, Rights of Handicapped.	30	36	10/11/1999
17	Decree #8, 1998, Protection of Animal Resources.			
18	Decree #7, 1998, Regulation of General Budget.			
19	Decree #3, 1999, Practice of Law.	30	5	10/11/1999
20	Decree #5, 1999, Amended regulations for the practice of law #3	32	5	29/02/2000
21	Decree #7, 1999, Environment.	32	38	29/02/2000
22	Decree #8, 1999, Tenders for public works.	32	9	29/02/2000
23	Decree #1, 1999, Amendment of law #5 regulating the branding & control of precious elements.	30	46	10/11/1999
24	Decree #1, 2000, Charitable associations & civil organizations.	32	71	29/02/2000
25	Decree #2, 2000, Regulating Commercial Agents.	32	92	29/02/2000
26	Decree #3, 2000, Arbitration.	33	5	30/06/2000
27	Decree #4, 2000, Labor.			
28	Civil and commercial procedure law No. 2 for the year 2001	38	5	5/9/2001
29	Criminal procedure law No. 3, for the year 2001.	38	94	5/9/2001
30	Evidences in civil and commercial articles Law No. 4 for the year 2001	38	226	5/9/2001
31	Civil Courts formation Law No. 5, for the year 2001	38	279	5/9/2001

Appendix #9
Palestinian Non Government Organization
Net Work Steering Committee

Name	Address	Email	Tel.	Fax
Health, Development, information & Policy Institute	Ramallah	hdip@hdip.org	2980550	2985917
Palestinian Center for consultation	Jerusalem	pcc@palnet.com	6562272	6562271
Addameer Association	Ramallah	addameer@palnet.edu	2960446	2960447
Union for Health Care Committees	Ramallah	uhwc@palnet.com	2407518	2407517
Muwatin Associaton	Ramallah	Muwatin@muwatin.org	2951108	2960285
Education Center form	Ramallah	ednwt@palnet.com	2958460	2958460
Arab Thought Forum	Jerusalem	info@multaqa.org	6289126	6264338
Sirriyit Ramallah	Ramallah	Sirreyeh@palnet.com	2952706	2980583
Al-Haq	Ramallah	haq@al-haq.org	2956421	2954903
Palestinian Hydrology Groop	Ramallah	phgtamimi@hotmail.com	2966315/6	2966319
Besan Center	Jerusalem	bisanrd@palnet.com	2407837/8	2405777
Secratery of Pngo	Ramallah	Pngo@netp-ol.com	2963847	2963848

Appendix #10

The Palestinian Coalition for Accountability and Integrity - AMAN

Name	Address	Email	Tel.	Fax
MIFTAH	Jerusalem	Info@miftah.org	5851842	5835184
Al Mezan Center for Humen Rights	Gaza	Mezan@hally.net	08-2453555	08-2453554
Palestinian Council for foreign relations	Gaza	Cfr-pal@hally.net	08-2836617	08-2836627
Paltrade	Ramallah	Info@paltrade.org	2959447	2959449
Arab Thought Forum	Jerusalem	info@multaqa.org	6289126	6264338
Muwatin	Alberah	Muwatin@muwatin.org	2951108	2960285
Secretary of AMAN	Ramallah	Amanaman-palestine.org	2989506	2989492

Appendix #11

Civil Committee for Monitoring of Election

Name	Email	Tel.	Fax
Palestinian Center for Peace and Democracy	pcpd@palnet.com	2965981	2965983
Woman Center for Legal Counseling		2347438	2342172
Muwatin	talebawad@muwatin.org	2407721	2407730
PARC	mansour@pal-arc.org	2963840	2963850
General Union of Palestinian Women	jupw@palnet.com	2407696	2401093
The Arab Studies Society		2343352	2343354
PANORAMA	panorama@panoramacenter.co	2959618	2981824
The Civil Forum	aref@cfip.org	2348020	2348022
Arab Thought Forum	info@multaqa.org	2347129	2347674
Palestinian Student Union		059-410625	
Palestinian Women Union		059-675901	
Palestinian Center for Democracy and Conflict		059-404648	
Al-Nizam Center for Human Rights		059-461681	
Society Study Center		059-418259	
Union of Youth Center		059-404648	