



Peace Agreements Digital Collection

Israel-Palestinians >> Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip >>
Main Points

Main Points of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip September 28, 1995

Background

On September 28, 1995, the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip was signed in Washington, D.C.

This agreement, which marks the conclusion of the first stage in negotiations between Israel and the PLO, incorporates and supersedes the Gaza-Jericho and early empowerment agreements.

The main object of the Interim Agreement is to broaden Palestinian self-government in the West Bank by means of an elected self-governing authority -- the Palestinian Council. This will allow the Palestinians to conduct their own internal affairs, reduce points of friction between Israelis and Palestinians, and open a new era of cooperation and co-existence based on common interest, dignity and mutual respect. At the same time it protects Israel's vital interests, and in particular its security interests, both with regard to external security as well as the personal security of its citizens in the West Bank.

The Interim Agreement between Israel and the PLO, including its various annexes, comprises over 300 pages. To the main body of the agreement are appended seven annexes dealing with: security arrangements, elections, civil affairs (transfer of powers), legal matters, economic relations, Israeli-Palestinian cooperation, and the release of Palestinian prisoners.

The major provisions of the agreement are as follows:

Elections

Democratic elections will be held to the Palestinian Council, for an interim period not to exceed five years from the signing of the Gaza-Jericho Agreement (i.e. no later than May 1999). All Palestinians of the West Bank and the Gaza Strip age 18 or over, who are registered in the population register, will have the right to vote. The elections will take place 22 days after the conclusion of an IDF redeployment from populated areas in the West Bank.

The elections to the Council will be personal and by district. A separate election will be held simultaneously for the election of the Head of the Executive Authority of the Council.

The candidacy of an individual, a party or a coalition of parties shall be rejected if the said candidate, party or coalition professes racist views or acts in an illegal or undemocratic manner.

Palestinian residents of Jerusalem will be able to participate in the elections according to special arrangements detailed in the agreement. The voting will take place in localities outside Jerusalem; however, a number of Palestinian residents of Jerusalem will be able to vote by means of special envelopes which will be sent from post offices in Jerusalem to the Central Elections Committee. A Palestinian with a Jerusalem address who wishes to stand for election to the Palestinian Council will be able to do so only if he or she has an additional valid address in the West Bank or the Gaza Strip.

All stages of the election process will be open to international observation, to ensure that they are free and fair. At the request of the parties, the European Union has agreed to coordinate the election observation. The observer delegation will be composed of representatives from the following states and international organizations: the EU, the UN, the USA, the Russian Federation, Canada, Egypt, Japan, Jordan, Norway, South Africa, the Non-Aligned Nations, the OAU, and the Islamic Conference Organization.

The Palestinian Council

The Council to be established following the elections will assume various powers and responsibilities in security and civil spheres in the West Bank and Gaza, as detailed below. With the establishment of the Council, the Israeli military government will be withdrawn and the Civil Administration dissolved. The Council will assume responsibility for all rights, liabilities, and obligations in the spheres transferred to it. At the same time Israel will retain those powers and responsibilities not transferred to the Council.

The Council, which will have 82 members, will have legislative and executive powers. The agreement provides that the legislative powers will be exercised by the Council as a whole, while its executive powers will be exercised by a committee of the Council -- the Executive Authority. This committee shall comprise Council members together with a small number of appointed officials.

The powers of the Council will extend to all matters within its jurisdiction. It should be noted that it will not have powers in the sphere of foreign relations. The agreement does, however, provide for a number of areas in which the PLO may, on behalf of the Council, conduct negotiations and sign agreements (economic, donor countries, regional development).

Redeployment

The IDF will redeploy in the West Bank according to the timetable set out in the agreement. In the first stage, designed to facilitate the holding of elections, the IDF will withdraw from the populated areas of the West Bank: the six cities -- Jenin, Nablus, Tulkarem, Kalkilya, Ramallah and Bethlehem (in the city of Hebron, special arrangements will apply, as detailed below) -- and 450 towns and villages. At the end of this redeployment, there will be almost no IDF presence in Palestinian population centers.

In addition, the agreement provides that a series of further redeployments are to take place at six-month intervals following the inauguration of the Council. In the course of these redeployments, additional parts of Area C will be transferred to the territorial jurisdiction of the Council, so that by the completion of the redeployment phases, Palestinian territorial jurisdiction will cover West Bank

territory except for the areas where jurisdiction is to be determined under the final status negotiations (settlements, military locations, etc.).

Security

Throughout the West Bank and the Gaza Strip, Israel will have overall responsibility for external security and for the security of Israelis and settlements.

With regard to internal security and public order, the agreement establishes different arrangements for three types of area:

- Area "A" comprises the six cities listed above and the city of Hebron, minus the Old City of Hebron, the Jewish Quarter, and everything that is linked from there to Kiryat Arba and the Tomb of the Patriarchs. In these areas, the Palestinian Council will have full responsibility for internal security and public order, as well as full responsibility for civil affairs.
- Area "B" comprises the Palestinian towns and villages in the West Bank. In these areas, which contain some 68 percent of the Palestinian population, the Council will be granted full civil authority, as in Area "A". The Council will be charged with maintaining public order, while Israel will have overriding security authority to safeguard its citizens and to combat terrorism. This responsibility shall take precedence over the Palestinian responsibility for public order.

25 Palestinian police stations will be established in specified towns and villages to enable the Palestinian police to exercise its responsibility for public order. The agreement contains provisions requiring that the movement of Palestinian police be coordinated and confirmed with Israel.

- In Area "C", which comprises the unpopulated areas of the West Bank, areas of strategic importance to Israel and the Jewish settlements, Israel will retain full responsibility for security and public order. The Council will assume all those civil responsibilities not related to territory, such as economics, health, education, etc.

The Revocation of the PLO Covenant

The agreement contains an undertaking to revoke those articles of the Palestinian Covenant calling for the destruction of Israel, within two months of the inauguration of the Council.

The Security Policy for the Prevention of Terrorism and Violence

The agreement provides for the establishment of a strong police force, 12,000 in number, that will constitute the only Palestinian security force. The Security Annex specifies the deployment of the police force, the approved equipment and its modes of action.

The Security Annex specifies the commitment of Israel and the Palestinian Council to cooperate in the fight against terrorism and the prevention of terrorist attacks, according to the following framework:

- A. The Palestinian Police is the only Palestinian Security Authority.

B. The Palestinian Police will act systematically against all expressions of violence and terror.

C. The Council will issue permits in order to legalize the possession and carrying of arms by civilians; any illegal arms will be confiscated by the Palestinian Police.

D. The Palestinian Police will arrest and prosecute individuals suspected of perpetrating acts of violence and terror.

Both sides, in accordance with this agreement, will act to insure the immediate, efficient and effective handling of any incident involving the threat, or acts of terrorism, violence or incitement, whether committed by Palestinians or Israelis. To this end they will cooperate in the exchange of information and coordinate policies and activities.

Joint security committees will be established to coordinate between the IDF and the Palestinian police. Regional offices will operate 24 hours a day. Joint patrols will ensure free and secure movement on designated roads in Area "A". Joint Mobile Units will serve as rapid response units in case of incidents and emergencies.

Transfer of Civil Powers and Responsibilities

The agreement sets out the arrangements for the transfer of agreed upon civil powers and responsibilities from the Civil Administration to the Council. In Area "C", powers and responsibilities not relating to territory will be transferred to the Council; powers and responsibilities relating to territory will be gradually transferred along with the redeployments in these areas. The transfer of further civil powers and responsibilities is subject to detailed provisions insuring, among other things, the land rights of Israelis and the continued provision of services (electricity, water, telecommunications etc.) to the settlements.

Freedom of Movement for Israelis

The IDF and Israelis will continue to move freely on the roads of the West Bank and Gaza. In Area "A" Israeli vehicles will be escorted by joint patrols. Israelis may not in any circumstances be arrested or placed in custody by the Palestinian police, and may only be required to present identity and vehicle documentation. On roads that are jointly patrolled, any request for identification shall only be made by the Israeli side of a joint patrol.

Legal Issues

The Legal Annex of the agreement sets out arrangements governing the legal relations between Israel and the Palestinian Council. These provisions define the criminal and civil jurisdiction of the Council and include arrangements for legal assistance in criminal and legal matters, including cooperation with regard to police investigations.

Religious Sites

Responsibility over sites of religious significance in the West Bank and Gaza will be transferred to the Palestinian side. In Area "C" this will be transferred gradually during the "further redeployment phase", except for the issues which will be negotiated during the permanent status negotiations. Both sides shall respect and protect religious rights of Jews, Christians, Moslems and Samaritans to wit:

- A. Protecting the holy sites.
- B. Allowing free access to the holy sites.
- C. Allowing freedom of worship and practice.

Jewish holy sites are listed in the agreement.

The agreement guarantees freedom of access to and freedom of worship at the holy sites, and defines access arrangements for the holy places located in Areas "A" and "B". With regard to Rachel's Tomb in Bethlehem and Joseph's Tomb in Nablus, special arrangements are set out in the agreement which will also guarantee freedom of access and freedom of worship.

Hebron

In view of the Jewish presence in the heart of Hebron and the sensitive historical and religious aspects involved, special arrangements will apply in this city. These arrangements will enable Palestinian police to exercise responsibilities vis-a-vis Palestinian residents, while at the same time Israel will retain the powers and responsibilities necessary to protect Israeli residents living in Hebron and visiting the holy places. The areas of Hebron to remain under full Israeli control are: the Old City of Hebron, the Jewish Quarter, and everything that is linked from there to Kiryat Arba and the Tomb of the Patriarchs.

There will be a redeployment of Israeli military forces in Hebron, except for places and roads where arrangements are necessary for the security and protection of Israelis and their movement. This redeployment will be completed no later than six months after the signing of this agreement. Israel will continue to carry the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.

The status quo at the Tomb of the Patriarchs will remain unchanged, for the time being.

There will be a temporary international presence in Hebron.

Human Rights

The agreement states that the Israel and the Council shall carry out their functions and responsibilities while adhering to the international norms of human rights and the rule of law, guided by the obligation to protect the public, respect their fellow men and prevent harassment.

Water

The agreement contains an undertaking on the part of Israel to increase the amount of water allocated to the Palestinians by 28 million cu.m. Any further addition to either side will be based on an increase in the available water resources to be developed through international funding and channels, among them the tripartite American-Palestinian-Israeli forum which will hold its first meeting after the signing of the Interim Agreement. The agreement provides for the establishment of a joint water committee that will manage water resources and enforce water policies, protecting the interests of both parties by the prevention of uncontrolled drilling by enforcing standards, etc.

Release of Prisoners

In order to foster a positive atmosphere as this agreement is being implemented, and to engender mutual confidence and a basis for cooperation between the two peoples, Israel will release Palestinian prisoners who are in Israeli custody in three (3) stages according to the following format:

- ***Stage 1 - Upon the signing of the agreement.***
- ***Stage 2 - On the eve of elections for the Council.***
- ***Stage 3 - At a later unspecified date.***

Annex VII of the Agreement establishes the criteria which Israel will take into consideration when deciding upon the release.

Cooperation and Economic Relations

The Economic Annex of the Gaza-Jericho Agreement, with its appendices, has been incorporated into the Interim Agreement, with minor amendments, and its provisions, including the establishment of a single economic unit for the purpose of customs and import policy, now apply to the whole of the West Bank and the Gaza Strip.

In addition, an entire annex of the agreement deals with cooperation between Israel and the Palestinian Council. The parties are committed to cooperation programs involving officials, institutions and the private sector in various fields, such as economics, science, culture and society. A standing committee will be established to foster such cooperation.

Posted by USIP Library on: February 15, 2007

Source Name: Israel Ministry of Foreign Affairs

Source URL: <http://www.mfa.gov.il/MFA/Peace+Process/Guide+to+the+Peace+Process/The+Israeli-Palestinian+Interim+Agreement+-+Main+P.htm>

Date downloaded: February 6, 2007