

BUILDING PILLARS OF PEACE: An Option for Gaza

After the war, Gaza is facing four possible scenarios: 1) a deepening of chaos and anarchy with wide-ranging consequences; 2) a full control by an emboldened Hamas; 3) a PA takeover; or 4) a Transitional International Presence (ITP).

1. BACKGROUND AND PROSPECTS

A return of status quo ante will produce a new war in the foreseeable future.

The PA is currently too weak and divided to govern – as is Hamas in Gaza.

This leaves two alternatives: continued chaos, or a Transitional International Presence. Only the latter is viable.

2. SUBSTANCE: THE TRIANGLE

The establishment of the ITP (in both the Gaza Strip and the West Bank) has to be based on a triangle of elements where one is dependent on the other: a) Easing/Lifting of the Gaza blockade has to be linked to b) disbanding and disarming all militias and c) a robust control of the borders under international oversight.

3. ORGANIZATION: LACC AND UNTSO

The PA is too fragmented and weak to take over in Gaza under the current circumstances. A full opening of Gaza's borders to Egypt and Israel is unthinkable as long as Hamas continues to operate under its Charter (which calls for not only the eradication of Israel as a state but also the eradication of all Jews worldwide). Serious issues also pertain to Hamas's relationship to Egypt through its affiliation with the Muslim Brotherhood. The Organization knows full well that Gaza cannot survive without opening its borders. Through the option sketched here, Hamas will be left with a hard choice: keep its arms, continue terror, maintain closed borders, and deepen the suffering of the Palestinian people; or enable international supervision and control of its borders, in close cooperation with Egypt and Israel, and disband and disarm leading to a normalization of life.

The ITP has two pillars: the first pillar is a strictly politically non-partisan civilian development and humanitarian pillar – the Local Aid Coordination Committee (LACC). The Committee was originally established in 1994, with the UN Special Coordinator, the Director of the World Bank, and the AHLC Chair as co-chairs, and UNSCO and the World Bank as joint secretariat (see Annex I). The terms of reference will have to be restructured and updated to match current realities.

It should be restructured and elevated to a sub-body of both the Quartet and the Ad Hoc Liaison Committee (AHLC), where both Israel and Egypt are members. This structure will serve as the principal organ for coordination of donor money to humanitarian assistance, and to reconstruction and rehabilitation.

The LACC will be chaired by the Quartet Special Envoy, who will report on its activities to the Quartet and the AHLC Chair. The LACC will encompass all donors, including Israel and Egypt (as in the AHLC), as well as Palestinian representatives, and liaising mechanism for Israel and Egypt.

Sector working groups (SWGs) for all fields of development (education, health, industry, fiscal issues, agriculture, etc.) would be reestablished as sub-committees of the LACC (see Annex I). Each SWG is composed of a lead donor as the Shepherd, a Palestinian representative as gavel holder, and a relevant International Organization as secretariat. Members are all donors.

The SWGs will operate on the basis of the terms of reference of the Quartet, the AHLC and the reconfigured LACC, and decisions made in these bodies. The Shepherds will, among other, lead the SGW in:

- a) Developing an overall view of donor financed activities in the sector;
- b) Developing an annual integrated program for donor activities, with a view to Palestinian priorities, encompassing all projects in that sector;
- c) Giving a monthly update to the Quartet, the AHLC, and the LACC-Chair of its activities and plans for the relevant sector, and the monitoring of the implementation of projects.

The second pillar of the transitional international presence is the United Nations Truce Supervision Organization (UNTSO), which has a Gaza mandate (see Annex II) and was present there until 1996. UNTSO will now have two functions, possibly under a reconfigured mandate: border control in full cooperation with Israel and Egypt and overseeing an agreed demilitarization and disbanding of militias. This is a primary condition for the opening of borders under the supervision of UNTSO. A police force for local law enforcement, with light weapons, will be allowed, consistent with previous signed agreements, but not a standing military force of militias and heavy weapons. If a harbor is established, it will be an international enclave under full UNTSO control.

4. COMPOSITION: INTERNATIONAL – REGIONAL PARTNERSHIP

The Quartet Special Envoy will be the overall coordinator for both the civilian and the military observer mission, reporting to the Quartet and the AHLC chair.

The organization of UNTSO will be reconfigured with Egypt and Israel, with a particular view to the composition of the nationalities composing the force, in full coordination with Egypt and Israel.

The Shepherds of the SWGs will be major donors. UNTSO staff will be recruited from a combination of regional and international forces.

ANNEX I

Establishment of the Local Aid Coordination Committee (LACC) and the Joint Liaison Committee (JLC)

30 November 1994

In November 1993 the AHLC was established, composed of the major donors and regional partners of the Palestinian Authority. The AHLC met at either the ministerial level or at the level of senior officials from the capitals. At a meeting of that forum on 30 November 1994, the AHLC members decided to establish a Local Aid Coordination Committee (LACC) amongst all donors to meet at the local level through senior diplomatic representatives. The LACC is co-chaired by the chair of the AHLC (Norway) and the Resident Representative of the World Bank and the UN Special Coordinator (UNSCO). The local offices of the World Bank and the UN Special Coordinator (UNSCO) perform the secretariat function of the LACC. In addition, sector working groups (SWG) were established for all fields of development of the Palestinian Authority towards future statehood.

For many years, the LACC has formed the backbone of the international community's efforts to support the Palestinian Authority in building its institutions.

Excerpt from Chair's summary of the AHLC meeting in Brussels on 30 November 1994

1. There are two coordination mechanisms operating at the level of the capitals: the Ad Hoc Liaison Committee (AHLC) and the Consultative Group (CG). In order to accelerate the development effort and increase efficiency, aid coordination at the local level is needed. International level coordination will be supplemented by a Local Aid Coordination Committee (LACC) and a Joint Liaison Committee (JLC) of donors and recipients.
2. Donor coordination will take place at two levels:
 - a) An AHLC meeting at a senior level will take place approximately every 6 months.
 - b) LACC meeting at the level of local aid experts representing AHLC members and other donors as appropriate will take place at least once a month or as frequently as necessary. Those without local representatives will be invited to send representatives from their capitals.
3. The terms of reference for the local LACC coordination will remain those of the AHLC
4. The Chair of the AHLC will chair the LACC together with the Resident Representative of the World Bank in the West Bank and Gaza and the UN Special Coordinator, as co-chairs. The

offices of the World Bank and UNSCO will perform the secretariat function of the LACC. The LACC co-chair will be mandated to represent the donors vis-a-vis the parties.

5. The LACC chair will report on its activities to the Chair of the AHLC and to the CG through the World Bank.
6. The Palestinian Authority will appoint a counterpart committee of 3 representatives at the ministerial level. One of the members will be from PEC DAR.
7. The Chair of the LACC and the two co-chairs will, together with the Palestinian Authority representatives, form a Joint Liaison Committee (JLC) to overcome problems which might arise in donor-recipient relations. The JLC will be chaired by a Palestinian representative.
8. The terms of reference for local JLC coordination will remain those of the AHLC.
9. The agenda for the JLC will consist of two main parts:
 - (1) Donors and recipient will report on the status of projects and other related issues.
 - (2) A number of permanent agenda items will be reported on and discussed at each meeting as follows:
 1. Reporting by the Palestinian Authorities:
 - a) Recurrent Budget Expenditures
 - b) Development Budget Expenditures
 - c) Revenue Collection and Transfers
 2. Reporting by the LACC Chair
 - a) Donor Disbursements and Commitments
 3. Evolution of Budget for 1995
 4. Development of Institutional structures, in particular, for Revenue Collection and Transfers and Budgetary Controls
 5. Priorities for Development Budget
 6. Priorities for Technical Assistance
 7. Developments of the Economic Front
10. The results of the JLC meetings should be reported to all members of the AHLC by the Chair of the LACC.

Terms of Reference for the Sector Working Groups (SWG) and their Shepherds

1. The SWGs operate on the basis of the terms of reference of the AHLC and the LACC, and decisions made in these bodies.
2. Members are the PA representative and all donors, currently or prospectively financing activities in that particular sector
3. The Shepherds will, in order to achieve efficiency, practicality, accountability, transparency and coordination in the sector assistance problem, lead the SGW in:
 - (a) Developing an overall view of donor financed activities in the sector
 - (b) Developing an annual integrated program for donor activities, with a view to PA priorities, encompassing all projects in that sector
 - (c) Giving a monthly update to the LACC-Chair of activities and plans for that sector, and the monitoring of the implementation of projects.
4. The PA will identify to the Shepherd the Palestinian representative and focal point, who will also be gravel-holder in the working group meetings.
5. The Shepherds will in consultation with the PA representatives call for regular meetings and suggest the agenda.
6. The Secretariat will draft reports, programs and to other relevant work within its resources.
7. The Secretariat will prepare minutes following each meeting which are submitted to the Shepherd, who in turn presents them to the Chair of the LACC.
8. The Chair of the LACC will report on the activities of the SWGs to the members of the LACC, AHLC, and CG through their respective chairs.
9. The Shepherds will bring to the attention of the Chair of the LACC any issue requiring the Chair's attention according to its mandate.
10. Donor members of the SWG will see that the Shepherd is a point of contact for relevant missions to the field.

ANNEX II

Peacekeeping operations

UN peacekeeping operations were born in the Middle East with the establishment in 1948 of the Organization's first and oldest operation—the United Nations Truce Supervision Organization (UNTSO), originally set up to monitor the cease-fire called for by the Security Council in May 1948 in newly partitioned Palestine. Its unarmed military observers have fulfilled changing mandates — from supervising the original four armistice agreements between Israel and its Arab neighbours Egypt, Jordan, Lebanon and the Syrian Arab Republic — to observing and monitoring other cease-fires, as well as performing a number of additional tasks.

In 1996, UNTSO personnel worked with the two remaining UN peacekeeping forces in the Middle East—its Observer Group Golan (OGG) with the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights, and the Observer Group Lebanon (OGL) with the United Nations Interim Force in Lebanon (UNIFIL). UNTSO observers in 1996 also maintained a presence in Egypt, with headquarters in Ismailia. The UNTSO liaison office in Gaza was closed in April 1996.

UNTSO MANDATE

On 29 May 1948 , the Security Council, in resolution 50 (1948), called for a cessation of hostilities in Palestine and decided that the truce should be supervised by the UN Mediator, with the assistance of a group of military observers . The first group of military observers, which has become known as the United Nations Truce Supervision Organization (UNTSO), was the first peacekeeping operation established by the United Nations (UN). United Nations Truce Supervision Organization Military Observers (UNMOS) remain in the Middle East to monitor ceasefires, supervise armistice agreements, prevent isolated incidents from escalating and assist other United Nations peacekeeping operations in the region.

Resolution on the Palestinian Question Adopted at the Three Hundred and Tenth Meeting of the Security Council, 29 May 1948

The Security Council,

Desiring to bring about a cessation of hostilities in Palestine without prejudice to the rights, claims and position of either Arabs or Jews,

Calls upon all Governments and authorities concerned to order a cessation of all acts of armed force for a period of four weeks,

Calls upon all Governments and authorities concerned to undertake that will not introduce fighting personnel into Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the ceasefire and

Calls upon all Governments and authorities concerned, should men of military age be introduced into countries or territories under their control, to undertake not to mobilize or submit them to military training during the cease fire,

Calls upon all Governments and authorities concerned to refrain from importing or exporting war material into or to Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the ceasefire,

Urges all Governments and authorities concerned to take every possible precaution for the protection of the Holy Places and of the City of Jerusalem, including access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them,

Instructs the United Nations Mediator for Palestine in concert with the Truce Commission to supervise the observance of the above provisions, and decides that they shall be provided with a sufficient number of military observers,

Instructs the United Nations Mediator to make contact with all parties as soon as the ceasefire is in force with a view to carrying out his functions as determined by the General Assembly.,
Calls upon all concerned to give the greatest possible assistance to the United Nations Mediator,

Instructs the United Nations Mediator to make a weekly report to the Security Council during the ceasefire,

Invites the States Members of the Arab League and the Jewish and Arab authorities in Palestine to communicate their acceptance of this resolution to the Security Council not later than 5.00 pm New York Standard Time on 1 June 1948,

Decides that if the present resolution is rejected by either party or by both, or if, having been accepted, it is subsequently repudiated or violated, the situation in Palestine will be reconsidered with a view to action under Chapter VII of the Charter,

Calls upon all Governments to take all possible steps to assist in the implementation of this resolution

