

Country/entity	Israel Palestine
Region	Middle East and North Africa
Agreement name	Annex II, Protocol Concerning Elections, Israeli Palestinian Interim Agreement on The West Bank and the Gaza Strip (Oslo II)
Date	28 Sep 1995
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Arab-Israeli Conflicts (1948 -)

This conflict involves Israelis and Palestinians over territory and belonging and has long historical antecedents. The agreements post-1990 are between the Palestinian Liberation Organisation (PLO) and Israel, with some supporting inter-state agreements (i.e. between Israel and Jordan). More recently the importance of the once dominating Palestinian Liberation Organisation (PLO) has diminished not in the least due to the effective disappearance of its left-wing members and the loss of the popularity of their political wing, Fatah. Hamas and other Islamic groups have attained significant relevance in Fatah's stead, with Hamas controlling the Gaza strip (from which Israel ultimately unilaterally withdrew (not coded as a peace agreement).

Geo-political implications of the conflict have been considerable across the MENA region.
Close
Arab-Israeli Conflicts (1948 -)

Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Israel-Palestine peace process
Parties	Israel, signed for by Yitzhak Rabin and Shimon Peres; PLO, signed for by Yasser Arafat;
Third parties	William Clinton, U.S. President; Warren Christopher, U.S.; Amr Moussa, Egypt; Bjoern Tore Godal, Norway; Andrei V. Kozyrev, Russia; Hussein Ibn Talal, Jordan; Felipe Gonzalez, EU;
Description	Annex dealing with elections for the Palestinian Council and the Ra'ees [President/head].

Agreement document [IL_PS_950928_Annex_II_Protocol Concerning Elections.pdf \(opens in new tab\) | Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age Groups→Elderly/age→Substantive
Page 2, Article II Right to Vote and the Electoral Register
1. g. To be qualified to be entered on the Electoral Register, a person must:
... (2) be 17 years old or older;

Migrant workers No specific mention.

Racial/ethnic/national group Groups→Racial/ethnic/national group→Anti-discrimination
Page 2, Article II
Right to Vote and the Electoral Register
1. Right to Vote
a. The right to vote will be universal, regardless of sex, race, religion, opinion, social origin, education, or property status.
Groups→Racial/ethnic/national group→Substantive
Page 2, Article II
Right to Vote and the Electoral Register
1. f. Israeli citizens shall not be entered on the Electoral Register.
g. To be qualified to be entered on the Electoral Register, a person must:
(1) be Palestinian;

Page 5, Article III
Qualification and Nomination of Candidates
1. Qualification to be a candidate
... c. Israeli citizens may not be candidates for election to be a member of the Council or to be the Ra'ees.

Page 5, Article III
Qualification and Nomination of Candidates
...2. Nominations
The nomination of any candidates, parties or coalitions will be refused, and such nomination or registration once made will be canceled, if such candidates, parties or coalitions:
(1) commit or advocate racism;

Religious groups Groups→Religious groups→Anti-discrimination
Page 2, Article II
Right to Vote and the Electoral Register
1. Right to Vote
a. The right to vote will be universal, regardless of sex, race, religion, opinion, social origin, education, or property status.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class Groups→Social class→Anti-discrimination
Page 2, Article II
Right to Vote and the Electoral Register
1. Right to Vote
a. The right to vote will be universal, regardless of sex, race, religion, opinion, social origin, education, or property status.

Gender

Women, girls and gender Page 2, Article II
Right to Vote and the Electoral Register
1. Right to Vote
a. The right to vote will be universal, regardless of sex, race, religion, opinion, social origin, education, or property status.
b. Every Palestinian who meets the qualification to vote shall have the right to be registered to vote.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

**Independence/
secession** No specific mention.

**Accession/
unification** No specific mention.

Border delimitation No specific mention.

**Cross-border
provision** No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections

Page 1, Article I, Basis of Elections
General Provisions,

1. Pursuant to Article III of the Declaration of Principles and in accordance with the provisions of this Annex, direct, free and general political elections will be held for the Council and, simultaneously, for the Ra'ees of the Executive Authority.

Page 1, Article I, Basis of Elections
General Provisions,

2. The holding of elections for the position of Ra'ees and for the Palestinian Council shall be governed by this Annex, and the Law on the Election of the Ra'ees and the Palestinian Council (hereinafter "the Election Law") and the regulations made under this law (hereinafter "the Election Regulations"). The Election Law shall be adopted by the Palestinian Authority. The Election Law and the Election Regulations shall be consistent with the provisions of this Agreement. Unless otherwise specifically provided in this Annex, all persons voting or standing as candidates in the elections shall be uniformly subject to the provisions of the Election Law and the Election Regulations.

Page 1, Article I, Basis of Elections
The Central Election Commission

3. The Palestinian Central Election Commission (hereinafter "the CEC"), which will be appointed by the Palestinian Authority, will be responsible for the administration of the elections. The CEC will be responsible for the preparation and conduct of the elections and shall have the powers and competences necessary to fulfill these functions, as defined in the Election Law. All matters related to the elections which are not subject to specific provision in this Agreement shall be subject to determination by the Palestinian Authority or the CEC in accordance with the Election Law, the Election Regulations and any relevant procedures set out in this Agreement. The CEC and its subordinate bodies shall be independent.

Page 1, Article I, Basis of Elections
The Central Election Commission

... 4. a. All of the offices of the CEC and of its subordinate bodies, including the offices of the District Election Commissions (hereinafter "the DECs") and the District Election Offices (hereinafter "the DEOs"), shall be situated in constituencies set out in the Palestinian Election Law in areas under the jurisdiction of the Council.
b. All aspects of the electoral administration (such as publication of lists of electors or candidates, and other information concerning the conduct of the elections, appeals, counting votes, and publication of results) shall take place only in the offices of the relevant DEO.

Page 2, Article II
Right to Vote and the Electoral Register

1. Right to Vote
a. The right to vote will be universal, regardless of sex, race, religion, opinion, social origin, education, or property status.
b. Every Palestinian who meets the qualification to vote shall have the right to be registered to vote.

Page 2-4, Article II
Right to Vote and the Electoral Register

[Summary] Provisions outline the right to vote and who has that right. Provisions go on to outline the compilation of the Electoral Register and which body is responsible for maintaining the register, as well as detailing procedures pertaining to the register. Furthermore, details pertaining to challenging an omission from the register is provided.

**Electoral
commission**

Page 1, Article I, Basis of Elections
The Central Election Commission

3. The Palestinian Central Election Commission (hereinafter “the CEC”), which will be appointed by the Palestinian Authority, will be responsible for the administration of the elections. The CEC will be responsible for the preparation and conduct of the elections and shall have the powers and competences necessary to fulfill these functions, as defined in the Election Law. All matters related to the elections which are not subject to specific provision in this Agreement shall be subject to determination by the Palestinian Authority or the CEC in accordance with the Election Law, the Election Regulations and any relevant procedures set out in this Agreement. The CEC and its subordinate bodies shall be independent.

Page 1, Article I, Basis of Elections
The Central Election Commission

... 4. a. All of the offices of the CEC and of its subordinate bodies, including the offices of the District Election Commissions (hereinafter “the DECs”) and the District Election Offices (hereinafter “the DEOs”), shall be situated in constituencies set out in the Palestinian Election Law in areas under the jurisdiction of the Council.
b. All aspects of the electoral administration (such as publication of lists of electors or candidates, and other information concerning the conduct of the elections, appeals, counting votes, and publication of results) shall take place only in the offices of the relevant DEO.

**Political parties
reform**

No specific mention.

Civil society

Page 8, Article V, International Observation of Elections

3. Source of observers

...b. Other observers, including those representing non-governmental organizations, will also be present.

Page 10, 11. Domestic observers and parallel vote tabulations

Domestic observer organizations will be required to be independent of parties, coalitions and groupings of electors with nominated candidate(s) and will be accredited by the CEC on request. Domestic observer organizations will operate under the common terms of reference for domestic observers attached in Appendix 2. Any parallel vote tabulation organization will also be accredited as a domestic observer organization.

Page 14, Appendix 2 - Common Terms of Reference for Observers

B. Domestic Observers

1. Domestic observers are invited to observe the full Palestinian election process, from the announcement through registration, campaign, polling, counting, compiling of results and complaints procedures.

2. All domestic observer bodies will be free in their choice of observers. Domestic observers will be issued with accreditation by the CEC.

3. Any accredited domestic observer is free to move and to have contact with any person at any time and anywhere and to attend all election related events.

4. Freedom of speech for domestic observers in regard of words spoken or written in their official capacity shall be guaranteed.

5. The premises, equipment and property, including papers, documents (including computerized documents), communications, correspondence and databases of domestic observer organizations shall be respected by each side, according to its applicable laws. This provision shall apply also to the property of domestic observers created, maintained or used for the purposes of their work or duties.

6. Israel will allow accredited domestic observers from the list provided by the CEC to travel through Israel in the course of their duties.

7. All observers will be responsible for the arrangement of their own equipment, means of transport, and medical and other insurance.

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

No specific mention.

Constitution

No specific mention.

Power sharing

**Political power
sharing**

No specific mention.

**Territorial power
sharing**

No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 14, Appendix 2 - Common Terms of Reference for Observers
A. International Observers
11. All observers have the right to emergency medical assistance, including emergency evacuation as necessary.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights Human rights and equality→Civil and political rights→Vote and take part
Page 2, Article II
Right to Vote and the Electoral Register
1. Right to Vote
a. The right to vote will be universal, regardless of sex, race, religion, opinion, social origin, education, or property status.
Human rights and equality→Civil and political rights→Other
Page 15, Appendix 3 - Privileges and Immunities of International Observer Delegations
2. The inviolability and freedom of communications and correspondence to and from delegation members shall be assured.

Socio-economic rights No specific mention.

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizen delimitation

Page 2, Article II

Right to Vote and the Electoral Register

1. f. Israeli citizens shall not be entered on the Electoral Register.

Page 5, Article III

Qualification and Nomination of Candidates

c. Israeli citizens may not be candidates for election to be a member of the Council or to be the Ra'ees.

Democracy

Page 5, Article III

Qualification and Nomination of Candidates

... 2. Nominations

The nomination of any candidates, parties or coalitions will be refused, and such nomination or registration once made will be canceled, if such candidates, parties or coalitions:

(2) pursue the implementation of their aims by unlawful or non-democratic means.

Page 7 Article IV, The Election Campaign

2. Rallies and meetings

d. Each side shall take all necessary measures with regard to persons under its authority to prevent public disorder during campaign activities, to ensure that such activities do not interfere with the free flow of traffic, and to protect the electoral process from any violence, incitement, hostile propaganda or other undemocratic interference.

Detention procedures

No specific mention.

Media and communication

Rights related issues→Media and communication→Media roles
Page 7 Article IV, The Election Campaign

2. Rallies and meetings

d. Each side shall take all necessary measures with regard to persons under its authority to prevent public disorder during campaign activities, to ensure that such activities do not interfere with the free flow of traffic, and to protect the electoral process from any violence, incitement, hostile propaganda or other undemocratic interference.

Page 10, Article V, International Observation of Elections

12. Provisions for journalists

Domestic and international journalists will be accredited by the CEC upon production of valid press documentation. Journalists shall enjoy freedom of the press and of movement in all areas in order to cover the electoral process. Journalists shall have access to all electoral facilities during all stages of the electoral process. The electoral authorities may request the presentation of the issued accreditation in order to facilitate this access.

Page 15, Appendix 3 - Privileges and Immunities of International Observer Delegations

5. The coordinating body and each observer delegation will be able to acquire and use freely and efficiently, from the beginning to the end of its operation, the means of communication necessary for it to fulfill its duty. Within the framework of the trilateral forum as defined in Article V, paragraph 7 of this Annex (hereinafter “the trilateral forum”), the Israeli and Palestinian authorities will ensure access to all necessary communication lines and frequencies.

Mobility/access

No specific mention.

Protection measures

No specific mention.

Other

No specific mention.

Rights institutions

NHRI

No specific mention.

Regional or international human rights institutions

No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 8, Article V, International Observation of Elections

3. Source of observers

...b. Other observers, including those representing non-governmental organizations, will also be present.

Page 13, Appendix 2 - Common Terms of Reference for Observers

A. International Observers

9. No restriction shall be placed on introducing foreign currency to fund the activities of observers nor on the repatriation of such funds to any country abroad nor on the free exchange of foreign currency through an authorized dealer in exchange at the market rate of exchange.

Page 14, Appendix 2 - Common Terms of Reference for Observers

A. International Observers

11. All observers have the right to emergency medical assistance, including emergency evacuation as necessary.

Page 15, Appendix 3 - Privileges and Immunities of International Observer Delegations

3. The premises, including all archives and databases, property, funds and assets of delegation members shall:

a. be protected and inviolable; and

b. be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Business

No specific mention.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 15-16, Appendix 3 - Privileges and Immunities of International Observer Delegations

7. Any equipment, materials, articles or goods imported by the coordinating body or any observer delegation in connection with their activities shall be exempt from all custom and import taxes and duties. It is understood, however, that such exemption does not include charges for services provided at Israeli points of entry. In the event of a request to pay storage charges resulting from an undue delay caused by Israeli authorities as certified by the trilateral forum, storage charges shall be reimbursed.

Page 16, Appendix 3 - Privileges and Immunities of International Observer Delegations

Each observer delegation will be allowed to import and re-export all necessary equipment, including cars, which it considers necessary to fulfill its duties. Within the framework of the trilateral forum, Israeli and/or Palestinian customs authorities will perform appropriate customs clearances through a special expedited procedure under the supervision of senior customs officials. All imported equipment, materials, articles or goods exempted from import taxes and duties will be re-exported or donated according to applicable customs procedures agreed upon between the two sides at the conclusion of the mission of the observer delegations.

Banks

No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees

Page 7 Article IV, The Election Campaign

2. Rallies and meetings

c. Security issues relating to the international observers will also be dealt with in the relevant DCO, within the framework of the trilateral Palestinian Israeli-European Union forum, as set out in Article V, paragraph 7 below.

Page 7, Article IV, The Election Campaign

2. Rallies and meetings

d. Each side shall take all necessary measures with regard to persons under its authority to prevent public disorder during campaign activities, to ensure that such activities do not interfere with the free flow of traffic, and to protect the electoral process from any violence, incitement, hostile propaganda or other undemocratic interference.

Page 8, Article V, International Observation of Elections

7. Trilateral coordination forum for logistics and security

The CEC, Israel and the European Union shall establish a trilateral forum for the purpose of dealing with issues (for example: security of observers, communications, visas, identification, and other questions of logistics) which are raised by observer delegations as requiring assistance, or which otherwise require coordination between the members of the trilateral forum. Other matters relating to the conduct of the elections may be dealt with between the CEC and the European Union bilaterally. The operational modalities of the trilateral forum will be agreed by the parties at its first meeting.

Page 8, Article V, International Observation of Elections

9. Equipment of observers

... b. Observers will not carry arms.

Page 13, Appendix 2 - Common Terms of Reference for Observers

A. International Observers

10. All necessary measures shall be taken to ensure the security of observers. Enhanced security will be provided as necessary on request.

Page 16, Appendix 3 - Privileges and Immunities of International Observer Delegations

8.f. Local personnel shall not carry arms.

Page 17, Appendix 3 - Privileges and Immunities of International Observer Delegations

10. Within the framework of the trilateral forum, the Palestinian and Israeli authorities will appoint liaison officers as appropriate to ensure that all arrangements relating to requests concerning logistics and security are implemented.

Ceasefire

No specific mention.

Police	<p>Page 6, Article IV, The Election Campaign</p> <p>2. Rallies and meetings</p> <p>b. Without derogating from the principle that the Palestinian Police will ensure public order during the Palestinian elections, and in order to enable the elections to proceed smoothly, without any interference, obstacle or friction, the two sides agree to deal with, and coordinate with regard to, security issues that may arise in relation to the electoral process in the relevant DCO in each constituency.</p> <p>Page 7 Article IV, The Election Campaign</p> <p>2. Rallies and meetings</p> <p>(2) With regard to applications to hold such a campaign activity in areas in which the Palestinian Police exercises responsibility for public order, but there is no Palestinian police station or post, the DEO shall give prior notification of the activity to the relevant DCO.</p> <p>(3) With regard to applications to hold such a campaign activity outside the areas in which the Palestinian Police exercises responsibility for public order, the activity shall only take place after coordination and confirmation through the relevant DCO.</p>
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar

Page 7, Article V, International Observation of Elections

1. International Standards

The election process will be open to international observation. Observation will be conducted according to accepted international standards.

2. Scope of observation

a. All stages of the electoral process will be open to observation. This includes registration of electors, the campaign, the operation of polling stations during polling, the operation of the count in each polling station, and the totaling and scrutiny (including the determination of claims made by candidates or their representatives) at district and central level.

b. The observers will be asked to assess whether all stages of the electoral process are free and fair. The activity of the observers will be limited to observation, reporting and dialogue with the relevant authorities.

c. Observer delegations may wish at any point to make comments or representations about the conduct of the elections to the CEC, which shall consider them and reply appropriately.

d. In order to facilitate the independence of the observation, the mandate and operating instructions of each international observer delegation shall be determined by that delegation in consultation with the international observer coordinating body under the common terms of reference attached as Appendix 2 to this Annex.

Page 8, Article V, International Observation of Elections

3. Source of observers

It is envisaged that observers will be present from all parts of the world.

a. Observer delegations will, in particular, be present from the European Union, the United Nations, the United States of America, the Russian Federation, Canada, Egypt, Japan, Jordan, Norway, South Africa, the Movement of Non-Aligned Nations, the Organization of African Unity and the Islamic Conference Organization. Observer delegations from other governments or intergovernmental organizations may be added to this list upon consultation.

b. Other observers, including those representing non-governmental organizations, will also be present.

4. Coordinating body

The European Union will act as the coordinator for the activity of observer delegations.

5. Accreditation of observers

a. All observers, both international and domestic, shall be accredited through machinery established by the CEC. Accreditation will be issued by the CEC on request and will be conditional on acceptance of the common terms of reference. The accreditation card will contain a trilingual text (Arabic, English and Hebrew).

Page 8, Article V, International Observation of Elections

6. Privileges and immunities

a. Observer delegations and members of the coordinating body (hereinafter "delegation members") shall be granted, according to international standards, the privileges and immunities necessary for the fulfillment of their activities in accordance with Appendix 3 to this Annex.

b. The names of delegation members will be supplied in advance by the CEC to Israel, following which privileges and immunities will be granted in accordance with Appendix 3.

Page 8, Article V, International Observation of Elections

9. Equipment of observers

a. Members of observer delegations will be identifiable by a distinctive outfit (cap, shirt, jacket etc.) and an overjacket carrying the words "INTERNATIONAL OBSERVER" in Arabic and English. Other observers will be otherwise identified.

Enforcement mechanism

No specific mention.

Related cases

No specific mention.

Source

Israeli Ministry of Foreign Affairs; <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement.aspx>
