



**Arab American University
Faculty of Graduate Studies**

**The Role of the European Union Democracy
Promotion and Human Rights in Palestine**

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Thesis Approval

“The Role of European Union Democracy Promotion and Human Rights in Palestine”

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Declaration

I, the undersigned, the author of Master thesis entitled as “The Role of the European Union Democracy Promotion and Human Rights in Palestine” which is submitted to the Arab American University for the Master’s degree and I declare that it is the result of my own research, except as indicated, of which none has been offered for a higher degree to any university or other educational institution.

Ahmed Alhouseini

Signature



Date: 29 / 12 / 2021

Dedication

This thesis is dedicated to

my late father

To my dear mother for her love and measureless support

To my dearest wife Shifa, for providing me with unfailing support and continuous encouragement throughout my years of study and through the process of researching and writing this thesis.

To my beloved brothers and sisters

To my beloved kids: Hend, Leen, Mohammad and Raghad

Ahmed Alhouseini

Acknowledgments

I hope to add to the Arab Library what benefits researchers and those interested in the role of the European Union and its degree of credibility in projects to strengthen democracy in the Middle East region, especially Palestine.

I also extend my sincere thanks and respect to **Dr. Amjad Abu El Ezz** for his effort and guidance from the beginning of the research plan until writing these lines.

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Abbreviations

EU	European Union
EIDHR	European Instrument for Democracy and Human Rights
EOM	Election Observation Missions
ECSC	European Coal and Steel Community
ENP	European Neighbourhood Policy
EC	European Commission
EP	European Parliament
CJEU	Court of Justice of the European Union
ECB	European Central Bank
EIB	European Investment Bank
CFSP	Common Foreign and Security Policy
EMP	Euro-Mediterranean Partnership
EEC	European Economic Community
IA	Interim Agreement
ENPI	European Neighbourhood Partnership Instrument
PRDP	Palestinian Reform and Development Plan
EU BAM Rafah	European Union Border Assistance Mission for the Rafah Crossing Point
EUPOL COPPS	EU Coordinating Office for Palestinian Police Support
NGO	non-governmental organization
PA	Palestinian Authority
TIM	Temporary International Mechanism
PNUG	Palestinian National Unity Government
DG RELEX	Directorates-General for External Relations
MEDA	The financial instrument of the Euro-Mediterranean partnership
PLO	Palestinian Liberation Organisation
ESDP	European Security and Defence Policy
AA	Association Agreements
EMAA	Euro-Mediterranean Association Agreements
PLC	Palestinian Legislative Council
PM	Prime minister
EUAA	Euro-Mediterranean Association Agreements
Fatah	Palestinian National Liberation Movement
Hamas	Islamic Resistance Movement
MEPP	Middle East Peace Process
OPTs	Occupied Palestinian Territories
USA	United States of America
UN	United Nations

The Role of the European Union in Promoting Democracy and Human Rights in Palestine

Abstract

This study aims at discussing the role of the European Union (EU) in supporting democracy and human rights in Palestine and its contribution to the development of democratic life and respect for human rights in Palestine. Since 1991, the European Union has prioritized the principles of spreading and promoting democracy, human rights and reform in its foreign policy priorities. Furthermore, the EU allocates hundreds of millions of its annual budget to promote democracy and human rights around the world.

Although the EU has shown a drive and interest in spreading democracy and reform in Palestine and Israel, it has not shown a real willingness to implement these policies on the ground or to impose them on their partners. In other words, the political acts of the EU and its members indicates that it tends to support its own political, security and trade interests at the expense of its commitments to support democracy and human rights.

In order to evaluate the European experience in supporting democracy and human rights in Palestine from a local point of view, 14 elite Palestinian interviews were conducted.

There is a Palestinian appreciation for the economic support provided by the EU, and a wish to size up the political role of the EU by taking more serious steps in dealing with the repeated Israeli violations of democracy and human rights.

It is concluded that despite European statements to support and promote democracy, reform and human rights in Palestine, the EU and its member states did not show sufficient willingness to implement these policies on the ground, due to the “pragmatic, utilitarian thinking” that controls the maker of the European decision. Despite the EU’s attempt to balance its goals of promoting democracy, human rights and reform on the one hand, and its security, commercial and economic interests.

On the other hand, it is noted that there is a conflict between liberal values and pragmatic utilitarian values, which makes the European Union a realistic player in liberal agenda.

Chapter One:

Theoretical Framework

1.1. Introduction

During the last decade of the 20th century, the European Union (EU) has embarked on a mission of promoting democracy, human rights and governance reform as a priority of its foreign policy, as they constitute an essential part of their signed treaties.¹ The avowed principles were ostensibly key for sustainable cooperation between the EU and any of its international partners.

The EU has allocated billions of Euros from its budget for the promotion of its global mission, with a particular focus on developing countries. One of the Union's key programs is the European Instrument of Democracy and Human Rights (EIDHR) as one of its funding arms, which aims to support areas of human rights, fundamental freedoms and democracy in non-EU countries; through the creation and protection of a civil society sector, focused on governance reform and defending human rights.² The EU had allocated 1.3 billion € between 2014 and 2020 to EIDHR, which operates in liaison with supplementary programs like EU Election Observation Missions (EOMs), to support key regional and international mission allies.

While democracy and human rights promotion could be considered as an integral component of the EU's expansive soft power³, it seems to lack the necessary military

¹ European Commission. (2007). *The European Union: Furthering Human Rights and Democracy Across the Globe* European Commission External Relations: European Union. Retrieved from: https://ec.europa.eu/europeaid/sites/devco/files/publication-furthering-human-rights-worldwide-2007_en_0.pdf. p.13. Access date: March 2, 2019.

² European Instrument for Democracy & Human Rights (EIDHR): https://ec.europa.eu/europeaid/how/finance/eidhr_en.htm. Access date: March 2, 2019

³ مفهوم القوة الناعمة الذي قدمه جوزيف ناي عام 1990 في مقالته بعنوان (soft power) حيث عرف ناي القوة الناعمة بأنها ممارسة القوة بطريقة جذابة مختلفة عن الطرق التقليدية لفرض القوة، وهو قدرة الدولة على جعل غيرها يريد ما تريده بمعنى أن تشكل رغبات

force to achieve the desired outcomes. This explains why the EU is called “the economic giant and the political dwarf”.⁴

The EU officials’ prescribed recipe for benevolent governance, entails a link between democracy, economic prosperity, and political stability within a political entity, along with a genuine respect for human rights principles. Based on this paradigm, there is no security without development, and vice versa, as it is contended that democracies are less likely to clash, but rather cooperate in favour of shared prosperity.

The EU has allocated circa 231 million Euros for projects related to strengthening democracy and human rights in Palestine between the years of 1994 and 1998, which makes up about 52% of the overall European financial aid to the (PA). Between 2002 and 2003, The Union has provided close to 7 million Euros to reform the Palestinian judicial system, along with setting up a judiciary training institute.

Furthermore, EU’s financial aid covered numerous training course for security institutions, in regards to human rights, as 16 million Euros were allocated for establishing a police training centre in Jericho. Notwithstanding, the EU remained adamant on a conditionality clause, stipulating that any violations against the principles of human rights and democracy, give the EU an automatic right to suspend any ongoing and/ or upcoming financial aid to the PA; The EU seems to consider this clause as a driving force towards financial reform and transparency.

By holding training courses and workshops in cooperation with civil society organizations, the EU and its member states have already succeeded in achieving some

الآخرين وتضع الأجندة لهم ; فهي تستطيع أن تصل إلى طموحاتها بجعل الدول الأخرى راغبة في اتباعها وذلك بوسائل مختلفة عن القوة الصلبة القائمة على القوة العسكرية بالأساس وهذا ما يعرف بالقوة التعاونية “co-optive power” أو القوة الناعمة “soft power”
Nye, Joseph S. "Soft Power." *Foreign Policy*, no. 80 (1990): 153-71. Accessed July 27, 2021. doi:10.2307/1148580.

⁴ Eneko Landaburu, “Hard Facts About Europe’s Soft Power,” *Europe’s World*, Summer 2006. <https://www.friendsofeurope.org/global-europe/hard-facts-about-europes-soft-power>. . Access date: January 10, 2019

of the aims of its programmes, including raising awareness about human rights, democracy, law and order, transparency, security institutions and reform of the Palestinian judicial system

As a result of the EU's pressure on the international community, the Palestinian Legislative Council adopted the budget of the Palestinian Authority for the first time in 2003, since its inception. In addition, the European Union provided about 7 million Euros for the sake of formulating a national electoral law, as well as facilitation of an appropriate staff training. Concomitantly, the Union had also provided 10 million € to cover the cost of 300 international election observers.

Similar to the various European agreements signed with partner countries including Israel, as well as the Association Agreement of 1997 and the 2004 European Neighbourhood Policy Action Plan, the treaties and agreements signed by the European Union with the PA, are all contingent on signing parties' commitment towards the values and principles of democracy and human rights.⁵

Nonetheless, it seems that the political realism paradigm is increasingly overshadowing the moral aspect of the EU's decision-making process, rendering its policies a prisoner of its myopic security interests. A fear of political Islam dominates the perimeters of the relationship between Europe and the Islamic world. Consequently, various disagreements among the union's member states, have emerged in recent years, revolving around setting an appropriate response to the rise of such phenomenon. The gap in existing attitudes is due to differences in member states' interests and histories, as well as ethnic and religious divisions within the different states.

⁵ Yacoubian, M. (2004). *Promoting Middle East Democracy European Initiatives*. Washington, DC: U.S. Institute of Peace. Retrieved from <https://permanent.access.gpo.gov/lps59638/sr127.pdf>. p.11 Access date: March 22, 2020.

Paradoxically, the international community practiced pressure on President Arafat to establish the position of prime minister and transfer a large part of his powers, most importantly, those related to the security apparatus and finances. However, after Hamas won the 2006 elections and appointed Ismail Haniyeh as prime minister, the international community pressured the newly elected at the time, president Mahmoud Abbas, to restore his powers over security and financial apparatuses.

Some observers concluded from this behaviour, that reform according to Europe, is worthy of support, only as long as Hamas is not in power⁶. The aforementioned demand of authority transfer, as well as the denied the transfer of funds to the Ministry of Finance under Hamas's rule, has been viewed as a microcosm of European reform policies in the Middle East over the past 20 years. While Hamas during its short-lived rule, started looking for alternative donors to finance its projects and ministries to avoid failure.

1.2. Research Problem

The EU's support for the promotion of democracy and governance reform values in Palestine still persists, however remains tentative against the backdrop of futile willingness to genuinely implement policies and action towards achieving touted goals in the region. Therefore, the research examines the main impetus behind EU's support for democracy and human rights values in the Palestinian context. As this paper aims to divulge whether the union's support for Palestinians is in place to serve its own interests instead of a genuine commitment towards fostering democracy and human rights?

⁶TUASTAD, DAG. "The Role of International Clientelism in the National Factionalism of Palestine." *Third World Quarterly* 31, no. 5 (2010): 791–802.

1.3. Research Questions

1. How committed is the EU towards spreading values and principles of democracy and human rights in Palestine?
2. How does the EU approach security issues while working on achieving democracy in Palestine? Do contradictions arise while sustaining Europe's security interests and simultaneously building a democratic Palestine?
3. What is the extent of compatibility between agreements and promises of the EU to spread democracy and human rights in Palestine, with the enacted policies on the ground?
4. What stand did the EU take on political Islam, following Hamas reaching power in Palestine?
5. What are the reasons for the EU's support of the values of democracy and human rights in Palestine?
6. Have the EU utilized its partnership agreements for the benefit of supporting democracy?

1.4. Research Hypotheses:

The EU publicly claims its commitment to promoting democracy and human rights reform in Palestine, but facts on the ground reveal a different reality; The EU and its member states seem to be oscillating between their own's national interests and alleged humanitarian and development goals in the Middle East, especially in the Palestinian-Israeli context.

The research paper posits that the EU's support for democracy and human rights principles in Palestine, remains tentative and confined within the perimeters of political

pragmatism. Consequently, The European endeavour in Palestine fails to reach its desired potential.

1.5. Research Justification:

Previous research studies and projects have taken on the task of examining EU development policies and support for democracy and human rights in Palestine, but it seems to be lacking in regards to thoroughly analysing the reasons behind this support, as this will allow us to divulge whether this support is purely democratic or if there might be different motives such as geopolitical and/ or economic interests and ambitions.

This research endeavour will examine the European support in light of the conditionality clauses present in the union's partnership agreements, which sets forth that any violation of human rights and democratic principles gives the EU the full right to suspend aid.

Furthermore, the paper will showcase the historical context of the European-Palestinian relations pre- and post- the Madrid Peace Conference, while highlighting the evolution of European's role in Palestinian-Israeli conflict since the advent of the OSLO agreement in 1993 until the year 2020.

In addition, this study focuses on the security, economic and political role undertaken by the EU in Palestine, making it a major party in the peace process, while also emphasizing on the effects of the union's economic and security policies on Palestinians.

This study's significance lies in its ability to provide objective information and assessment to Palestinian decision-makers, on the EU's role in financial, administrative

and political reforms, leading to the amendment of the Palestinian Basic Law, specifically the demand to create the “Prime Minister” position. Furthermore, Highlighting changes in the attitudes and the role of the EU post-Hamas’ victory in the 2006 Palestinian legislative elections.

1.6. Research Goals:

The study aims to study the effects of the EU’s support for democracy and human rights in Palestine, and the contribution of this support to the development of democratic life and respect for human rights in Palestine as it aims to investigate if this support is tangible in the Palestinian society. On the other hand, it examines whether this support is merely a Security tactic to ensure Israel’s security, under the guise of bringing economic development and growth to the local Palestinian economy.

1.7. Research Methodology:

The nature of the topic requires the researcher to rely on methodological comprehensiveness, hence the use of the following methods:

Analytical Research Method: The researcher adopted the descriptive analytical approach, which is based on analysing the stand of the EU towards promoting and supporting democracy and human rights in Palestine. Also, it includes dissecting the effects of the EU’s policy on its stand on democracy and human rights by identify and analysing the determining regional political variables and factors that help in determining the stand of the EU.

Historical Research Methodology: It has been adopted here as the research examines the historical context of the European-Palestinian relations throughout its different periods.

Despite the emergence of political science literature on foreign policy based on theories of decision-making, inter alia, by Richard Snyder and Graham Allison, these theories fall within the behavioural science framework and have been criticized for failing to provide a holistic analysis, as they solely focus on the meso and/ or micro-level analysis, disregarding in the process the role of the state. In this research, realist and liberal political theories will be used to framework the EU's Policy trajectory in Palestine, focusing on its commitment to promote values of democracy, human rights and governance reform.

Realism (also known as Political Realism):

The school of political realism emerged after World War II as a reaction to the strong wave of idealism. The aim of realism was to study and understand the behaviour of states and the factors affecting their relations with each other. Realism studies and analyses international relations through the prism of power-politics, war and conflict.

The most important principles of realism are:

1. The state is the main and most important actor in international relations.
2. National security and the national interest are the objectives of the foreign policy of states.
3. Anarchy is an essential feature of the international system, as there is no monopoly on legislative power.
4. Power is the central feature of international politics

Neorealism: Also known as Neo-Structuralism:

Based on the traditional realism of the 1980s whose main proponent is Kenneth Waltz ⁷, Realism as an approach to foreign policy assumes that states pursue their own independent foreign policy against the backdrop of an anarchic global political structure. The decision-making process in a rational mechanism which depend on the available information and data, regarding the regional and international environment.

Power is the main factor shaping the interactions between states within the realism framework. It treats power as the primary means through which the actor (the state) can achieve security and survival. Neo-realists hold that in an international context where the dominant idiosyncrasy is anarchy, the state behaviour leans towards isolationism and self-sufficiency, rather than cooperation and inter-dependence. Accordingly, Walter suggests that the anarchic global structure greatly contributes towards foreign policies of individual states.

The neorealist school emphasizes the use of soft power in foreign policy as an alternative to military power, in a world where technological advancements and economic interdependence transcends national borders.

In conclusion, Traditional realism is one that sees power as an end in itself, and thus seeks a balance. Neorealism on the other hand, stems from a basic assumption which

⁷Kenneth Waltz tried to translate the state of "chaos" into the international political system, based on the existence of sovereign international units, with no legal system to dominate it, inevitably, the outbreak of war between such units. It is certain that in circumstances of "international chaos" international units lose the concept of automatic harmony between them, in such a case when the State is in a position to judge the nature of its intentions,

It is allowed to use combat channels to achieve its objectives in foreign policy at any time. As a result, an international unit should be prepared, and always, to respond force by force or to pay for its weakness.

See: .

Waltz, Kenneth N. "THE THIRD IMAGE: International Conflict and International Anarchy." In *Man, the State, and War: A Theoretical Analysis*, 159-86. Columbia University Press, 2001, p. 159 – 160

maintains that the goal of states is to maintain survival. Therefore, the state harnesses both its internal and external fronts for that sole purpose⁸.

Liberalism:

Liberalism is considered one of the oldest schools of thought in international relations pioneered by the ilk of Adam Smith, Immanuel Kant, Jeremy Bentham. This theoretical framework is concerned utilizing abstract notions such values, morals and law to concoct interdependence and connectedness among different nations. In an diametric contrast to totalitarianism, political liberalism tend to perceive the world order on the basis of generating common economic prosperity and political stability through means of international cooperation⁹.

Liberalism assumes that the main pillars of state politics are individuals and social groups within said state, as the latter are merely political institutions which represent the interests of the social blocks. Consequently, individual and social groups' interests within a state, are the main drivers of a state's foreign policy, rather than power politics. Liberalism also emphasizes on the spreading democracy as a form of state governance, as it predicates that democracies "do not fight each other, but rather generate common prosperity within their geographical boundaries"¹⁰

⁸ Al-Nuaimi, Ahmed Nouri, Modern Structuralism in International Relations, Journal of Political Science, Issue 46, University of Baghdad, 2013, p 11. <https://www.iasj.net/iasj?func=fulltext&aId=76507>, Access date: February 22, 2019.

⁹ Al-Darsouni, Fahd bin Nasser: Foreign Policy and theories of International Relations between Concept and Practice June 24, 2016. https://fahadaldarsony.blogspot.com/2016/05/blog-post_86.html. Access date: February 22, 2019.

¹⁰McFaul, M. (2004). Democracy Promotion as A World Value. The Washington Quarterly 5 (56). p.56.

1.8. Research Tools:

The researcher depended on obtaining preliminary information by conducting elite/expert interviews, based on participants who are chosen based "Snowball" sampling. According to Chromy (2008), Snowball sampling can be applied when the research is interviewing a distinct sample, and when the researcher studies the relationship between society members.¹¹ Snowball sampling is a non-probability sampling technique, with a goal of selecting at least one member of the targeted group, after which, he/ she would be asked nominate other members of the same targeted group, as in of similar professional background.

Due to the small Palestinian population and the limited number of relevant experts, snowball sampling seems to be an appropriate sampling technique to use in this study.

Also, interviews were conducted in a semi-structured manner that they were directed but still open-ended, allowing in-depth, unrestricted but still relevant answers to be secured from the interviews. The researcher performed 14 interviews with Palestinian elites who are related to human rights.

1.9. The Research Sample:

The sample of the study comprises three relevant groups: Fatah leadership figures and PA employees; Senior members from different Political factions and parties (other than Fatah), and NGO high-ranking personnel.

1.10. Research Limitation:

Temporal limitations: from the inception of the PA in 1993 until 2020.

1.11. Previous Studies:

Arab Studies:

1- Ali Al- Haj's study: "The Policies of the EU member States in the Arab Region Post-Cold War".¹¹

The study adopted a descriptive quantitative approach that utilizes scientific tools based on statistical data collection and analysis. The adopted methodology aided the efforts of this research endeavour at determining the ability of the EU member states to play a political role that is in sync with its economic and development projects in the Arab region, and whether they can concert a unified policy agenda towards the Arab region. The author further emphasized the strategic importance of the Arab region to the EU member states.

The author further emphasized the strategic importance of the Arab region to the EU member states. The cogency of this arguments holds strong against a backdrop of a changing geopolitical scene on the international stage, where US unipolar hegemony which emerged post-cold war era, is no longer guaranteed, as competition intensifies from growing powers, such as the EU, China, Russia and Japan.

The incessant debacles of the United States' policies in the region, has prompted the EU fill the gap by taking up the mediator role in an attempt to revitalize an intractable peace process. This study contends that the EU is a suitable candidate for role of peace guarantor on the global stage in the near future. The study concludes that the European Union should expediate the integration and harmonization of its member states' policies in the Arab region, while asserting that Arab countries could benefit of the expected international competition between the United States and the European Union.

¹¹ الحاج، علي : سياسات دول الاتحاد الأوروبي في المنطقة العربية بعد الحرب الباردة، رسالة دكتوراه، بيروت، مركز دراسات الوحدة العربية، 2003

2- Mukhalad Mubeideen' Study Entitle:" Determinants of European Policy Towards the Israeli-Palestinian Peace Process after Maastricht Treaty (1993)"¹²

This study aimed at examining the European policy toward the peace process in the Israeli-Palestinian conflict by identifying the determinants of its policy making, on a regional and international level, before delving into specificities of the Israeli-Palestinian peace process. In addition, the research aimed at gauging the EU's capacity at influencing the trajectories this long-standing conflict, while further examining possibilities for a bigger EU role in reaching a settlement.

The study employed a historical descriptive methodology which relies on collecting historical data on the topic at hand, for the purpose of further analysis and reaching new conclusions. The study deduced that the failure of the EU to have a strong political influence commensurate with its economic role in the region, is primarily due to the United States' hegemonic overreach in the Middle Eastern the region post-cold war, especially after the September 11th attack and the ensuing US invasion of Afghanistan and Iraq. Consequently, the status quo imposed by the hegemonic power undermined any meaning involvement the European Union in the peace process.

A second conclusion reached by the study, which is that failure of EU's peace efforts is caused by its own inability to formulate a unified foreign policy agenda among its member state. Alongside Israel's incessant refusal of a union's active role, the divergence amongst the major European countries in their orientation towards the peace process is not the sole reason behind their feeble engagement, as it seems that there is a consensus among EU members to expand East of the continent instead of focusing on an Arab region marred by conflict and divide.

¹² المبييضين، مخلد: محددات السياسة الأوروبية تجاه عملية التسوية الإسرائيلية الفلسطينية بعد معاهدة ماستريخت عام 1993، مجلة المنارة، المفرق، الاردن، جامعة اهل البيت، المجلد 13، العدد 4، 2007

The author of the study recommends that the EU uses its trade and economic leverage over Israel, in order to cultivate a more efficient role in the peace process between the conflicting parties, taking into consideration the growing prowess of the union's economic and political reach.

3- Hussein Muqaled's Study: "Determinants of EU's Shared Foreign and Security Policies"¹³.

This study uses a quantitative descriptive methodology in order to highlight and analyse the development of shared foreign and security policies among Eu member states, which is embodied by political cooperation pursuant to the foundational Maastricht treaty and the Lisbon Convention, among the various decision-making institutions. This organizational dynamic within the EU, leads us to the determinants of a unified agenda for foreign and security policies for this supranational mammoth.

The study posits that the efficacy of European foreign and security policies is constantly undermined by the lack of coordination in regards to the matter, between the member states and the Union, which in turn results in a lack of a consolidated unified vision, on a collective level. Consequently, this renders policy making, to be short-sighted reactions to the behaviour of major powers in the region, especially that of the US, China and Russian.

The data collected by this study divulge the conspicuous gap in defence-related technologies, between the member states of the EU and the US. The author opines that this military power asymmetry, is the reason why the EU leans towards emphasizing the centrality of international law to make up for this discrepancy.

¹³ مقلد، حسين طلال: محددات السياسة الخارجية والأمنية الأوروبية المشتركة، مجلة جامعة دمشق للعلوم الاقتصادية والقانونية، المجلد (25)، العدد (1)، دمشق، 2009.

The research also recommends to harness the European prestigious position in international relations, to persist in its worthwhile influence on major international organizations, akin to the Davos Forum, World Bank, International Monetary Fund, World Trade Organization and the United Nations.

Furthermore, the author emphasizes the need for the oil-rich Arab states to leverage its vast energy supplies, to cultivate stronger ties with EU and perhaps even pressure the union into playing a more active role in the middle east peace process.

Foreign Studies:

1. Richard Young's Study: "Europe and the Middle East in the Shadow of September 11"¹⁴

Youngs (2006), examined European approaches toward Iraq, Turkey, Palestine, and Iran in the aftermath of September 11th attack, as the paper attempts to provide an appraisal of European strategy in those countries. It clarified how the EU nations were attempting to concoct a balance between their kaleidoscopic obligations towards advancing democratic change and benevolent governance. However, it seems that the European policies in various regions of the Middle East are still confined within the perimeters of September 11th political and security paradigm, which makes it more difficult to break the psychological barriers impeding an effective European role.

There was a lot of literature dealing with the European approach towards Palestine. Numerous scientists zeroed in on explicit parts of the EU strategy, for example, the European Union's monetary cooperation in the Palestinian-Israeli measures, the European Union's interest in advancing popular government and change arrangements

¹⁴ Youngs, R. (2006). *Europe and the Middle East in the Shadow of September 11*. Boulder, Colo. & London: Lynne Rienner Publishers, pp.222-223.

in Palestine, European guide, and technical assistance such as Al-Fattal¹⁵, Bicchi, Pace, Le More¹⁶ and Roy¹⁷).

Many scholars had been interested in EU programs in Palestine, particularly great administration, popular government and basic liberties programs. Scholars' interest in this part of EU strategy had expanded since it was gone into the EU Treaty as a component of the CFSP, and it has gotten one of the primary components of the EU Association Agreements and activity plans with EU's neighbours, as these approaches are the second mainstay of the European Union's strategies towards the Palestine after its political job, technical assistance and aids.

Among the researchers who have written with more consideration on great administration and democratization in relations between the European Union and Palestine are Jünemann¹⁸, Pace¹⁹, Brown²⁰, Gillespie and Keohane²¹.

The aim of the literature related to the EU's role in supporting democracy and human rights in Palestine was to clarify the thought processes of the EU and to decide to which degree the EU prevailing with regards to trading its qualities and standards identified with great administration, majority rule government advancement, change and basic freedoms programs, to its partners in the region.

¹⁵ Al-Fattal, R. (2010). The Foreign Policy of the EU in the Palestinian Territory. CEPS Working Document

¹⁶ Le More, A. (2008). International Assistance To The Palestinians After Oslo. London: Routledge.

¹⁷ Roy, S. (2008). The EU's Aid to the Occupied Palestinian Territory: How to Improve Coherence and Effectiveness in Line with International Law. *An expert seminar Perspectives on Palestinian Development*. Brussels: CIDSE Working Group on Palestine/Israel

¹⁸ Jünemann, A. (2003). Security-Building in the Mediterranean After September 11. *Mediterranean Politics* 8(2&3),

¹⁹ Pace, M. (2009). Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization* 16(1): 39 -58. p. 41.

²⁰ Brown, N. J. (2002). The Palestinian Reform Agenda December Piecework's No. 48. United States Institute of Peace.

²¹ Keohane, D. (2008). The Absent Friend: EU Foreign Policy and Counter-Terrorism. *Journal of Common Market Studies*. 46, 125-146.

Chapter Two:

The Establishment of the European Union

2.1. EU's Raison D'être:

The institutionalization of European unity through a collective political entity might be a recent phenomenon, However, its conceptual and theoretical roots extend back to several centuries, as it was a dream of, inter alia, many thinkers, social reformists, philosophers with different motives, goals and musings.

The twentieth century witnessed many attempts and experiments that aimed to achieve unity and integration in many regions of the world, but the European experiment stands alone in its ability to showcase itself as a success story. This can be attributed to the size of achievements made by the experiment, as well as the uniqueness of the approach used in building a comprehensive and cohesive process.

The experience of integration and unity in Europe is considered one of the most important and successful experiences of regional integration in the world. The European experiment was able to confirm the possibility of transforming relations between geographically proximate nations, although culturally heterogeneous, from a state of dispersion and conflict to a state of integration and cooperation leading to unity.

2.1.1. The Internal Factors leading the Establishment of the EU:

There is no doubt that there is a cultural and social dimension that has strengthened the ambition to unite Europe, but we cannot ignore each individual state's national and

economic interests that prompted them to join the former European Communities (EC) and later the union, as can be seen below:²²:

Germany for instance, after coming out defeated from World War II and suffering under foreign occupation, found it easier to compensate for its partial loss of sovereignty, as well as advancing and promoting its industrial activity by joining the EC. Consequently, the country made great strides in developing its industrial sector to the extent that it was called an “economic miracle”, as it took part in the European market rather than remain isolated, causing its export figures to increase from 27% to 48%. France became more interested in preserving peaceful relations rather than returning to war with other European states, especially Germany. for the sake of rebuilding its economy. The main impetus for the change in political motives was the state’s desire to integrate its economy and industries within the larger European market, especially its vital agricultural sector alongside industries related to it, as it plays a central role in the country’s economic and social structure. Italy on the other hand was not on par with its neighbouring countries, in terms of industrial and economic progress, thus why it was seeking to benefit from the European social fund to raise living standards of the Italian population, who had to leave Italy to find employment elsewhere. The migrant worker phenomenon was caused by the spread of unemployment and low wages compared to other countries in the surrounding region. Belgium during the 50s of the last century depended heavily on the coal and steel industries, this prompted the state to seek the establishment of a European coal and steel community, which was a significant factor in raising export figures in both

²²محمد محمود الإمام: تجارب التكامل العالمية و مغزاها للتكامل العربي، ط 1، مركز الدراسات الوحدة العربية، لبنان، 2004، ص ص 132-128.

industries. Belgium's ambitions weren't limited to expanding these two sectors, as similar to other European states, Belgium saw an opportunity in opening up its economy, to establish new industries and trade relations which would enhance its overall economic wellbeing. Luxembourg was seeking to end the ongoing political disputes with its partners in the politico-economic Union of BENELUX, Belgium and the Netherlands. Furthermore, Luxembourg felt that its presence in a larger European community, buttresses its livelihood as a political entity. Britain's main interest was economic advancement through joining the community, as it entails attractive privileges, such as the removal of customs duties on its exports to the community's member states. Ireland found an opportunity in joining to secure a bigger market for its industrial products, as the state aims to move from its overdependence on the British market for its exports. Greece and Spain restored their democratic systems in 1975 and 1977 respectively, so the reason for their exclusion from the community was eliminated, as both states sought to strengthen and modernize their shambled economies, which would help in revitalizing agricultural and industrial sectors, as well as gaining access to the regional programs offered to the member states. Lastly, there was Portugal which after losing its colonies and rebuilding its political system, joined the community as a way of re-establishing links with its European roots, as well as revitalizing its weak economy.

2.1.2. The Regional Factors for the Establishment of the EU:

The ideation of a joint union amongst European nations that would pave the way for a stronger economic, political and security cooperation, which would in turn preserve

inter-state peaceful relations, is an old argument brought up by many intellectuals ever since the fourteenth century, especially with the spread of the Christian religion.

The concept of European unity was first articulated by the French Legislator, De Boise, in 1335, and then by the French minister Marquis De Rosny who had a plan to establish a mega-Christian republic which would include the continent's nations. the Priest De Saint-Pierre who was also the French commissioner at the time and had a major role in drawing up the Treaty of Utrecht (1713-1715), proposed a project for establishing lasting peace in Europe and among Christian kings.²³

Other projects were proposed by renounced thinkers such as Rousseau and Bentham, However, they did not come into effect due to the insistence of all major European countries on the idea of absolute sovereignty, along with the unwillingness of leaders to abide by a union's charter, which may restrict and limit individual leader or state's power and authority over political decision-making.²⁴

The horrors the Europeans experienced as a result of the two world wars, and fear that ominous future events would lead to destruction of their civilization, thus their very existence, aspired the idea of ameliorating relations through a union. Thus, European unity came about in the aftermath of consecutive violent wars for several centuries, culminating in the destructive two world wars during the 20th century.²⁵

During the interwar period, specifically in 1923, the Austrian Count Richard Cudenhof Callerjee (Richard von Coudenhove-Kalergi), called for the creation of the United States of Europe, on a similar basis as the American model.²⁶ Accordingly, a conference

²³ المرزوقي، أنس: مراحل بناء الإتحاد الأوروبي <https://www.ahewar.org/debat/show.art.asp?aid=395593>, access , date 20.12.2020

²⁴ علي صادق ابو هيف، القانون الدولي العام، دون طبعه، منشاه المعارف، الاسكندرية، مصر، 1995، ص610 .

²⁵ محمد محمود الإمام: مرجع سابق، ص 525

²⁶ سمير صارم: اليورو، ط1، دار الفكر المعاصر، لبنان، 1999، ص75.

was held in Vienna in 1926, attended by delegates from 24 European countries. Three years following this conference, French foreign minister, Aristide Briand, made a speech to the League of Nations, in which he called for the establishment of a European Union within the same framework of the inter-governmental organization,²⁷ In order to encourage cooperation between European countries while maintaining their territorial sovereignty.

26 European governments responded to the French proposal, but the rise of nationalist sentiment and political parties across Europe, along with the worsening economic crisis, nullified prospects for the French project.²⁸ Contemplations regarding such project returned to the fore following the Second World War, which lead to convening several conferences European conferences, for the purpose of discussing the viability of an institutional framework which would ensure amicable inter-state relations.²⁹

Winston Churchill also called for the establishment of a “United States of Europe”, with central importance of ensuring French-German cooperation, rendering European salvage contingent on its unity. Accordingly, practical steps were taken to consolidate such aim by the subsequent signing of many official agreements, in regards to different forms of cooperation among European nations. These agreements were the impetus for the establishment of several inter-governmental bodies and organizations.

²⁷ صدام مريير الجميلي: الاتحاد الاوروبي ودوره في النظام العالمي الجديد، ط1، دار المنهل اللبناني، لبنان، 2009، ص38

²⁸ صدام مريير الجميلي: مرجع سابق ، ص38

²⁹ محمد توفيق عبد المجيد: العولمة والتكتلات الاقتصادية اشكاليه التناقض ام التصادم في القرن الحادى والعشرين، ط1، دار الفكر

الجامعي، مصر 2013، ص 262

2.2. The Stage of the Establishment of the European Union:

The period between 1952 - 1969 could be considered the outset of materialising European unity, but it initially faced difficulties due to the personal schisms between European heads of states at that stage, and the concomitant incompatibility between different states' visions on a unified agricultural policy. However, it was the French-English disagreement that seemed to dominate the scene.

2.2.1. The Establishment

During the establishment phase, the inter-state relation in Europe were characterized by relative stability. The state leaders seemed to have harmonized a political vision which responds to the need of reconfiguring relations in the aftermath of the Second World War, based on a collective framework.

The new system sought to create three organizational forms of a European union, called communities, which would serve different development needs and interests of the European continent, with a focus on the sectors of steel and coal, as a solid economic base that constitutes a common denominator, linking different European countries.

The European Communities were established to facilitate the process of European unification, as such process taking place among democratic countries does not happen at the whim of an individual leader, but rather gradually by fulfilling institutional due diligence and achieving clear progress, thus proving to be a viable endeavour.

The three communities were as the following:

1. BENELUX:

Belgium, Netherland and Luxembourg signed a customs agreement in 1947 as the first stage of economic union among them, and the first European integration experience. As

per agreement, custom fees were cancelled between the three nations, but were implemented on the imports of other countries. In 1950, a unified customs policy was put in place, which set a flat tariff for trade between the three signatories and outside world.³⁰

2. Organisation for Economic Co-operation and Development:

The organization was founded in 1948 when George Marshall was the United States' Secretary of State in 1947, for the purpose of consolidating economic cooperation between the European countries and the US post-WWII, in exchange for the latter allocating rebuilding Aid for the former; This became known as the "Marshall Plan".³¹

As a result, 16 European countries benefiting from its newly signed agreements, worked in tandem with this organization, in pursuant to the Marshall plan, to advance the production process and reach stability. This would increase industrial production, which in turn expands trade relations between the European benefactors themselves, and with the rest of the world.³²

To augment such efforts, the Treaty of Brussels was signed in the same year with the aim of achieving military cooperation between France, the United Kingdom, Belgium, the Netherlands and Luxembourg, due to the growing suspicions in regards to soviet intentions towards Western Europe. In line with those fear patterns, further military cooperation was entrenched by the signing of the NATO treaty in 1949.³³

³⁰ محمد محمود الإمام: مرجع سابق، ص 527

³¹ عبد المطلب عبد الحميد: النظام الاقتصادي العالمي الجديد و أفاقه المستقبلية بعد أحداث 11 ديسمبر، ط 1 ، مجموعة النبل العربية، مصر، 2003، ص122

³² محمد محمود الإمام: مرجع سابق، ص 527

3. The European Coal and Steel Community:

The establishment of a unified steel and coal community was a proposition by Jean Monnet, the French planning commissioner and the first to call for the unification of Europe under the name of “Shoman plan” in 1950.³³ The agreement was signed in 1951 by 4 countries which were France, Germany as well as Italy, Belgium, Luxemburg and the Netherland.³⁴

This conglomerate represented a development in the identity of Western Europe based on peaceful cooperation and mutual interests,³⁵ by establishing a unified market at the continent level. Based on this imperative, the idea of establishing the coal and steel community came to light as way of controlling two industries which are essential to war-making, thereby minimizing their harmful implications.³⁶

2.2.2. Foundational Agreements of the European Union:

2.2.2.1. Treaty of Rome:

Following the successes of the coal and steel venture, it was necessary to think about further steps in other sectors, as a way of pushing European unity forward through the establishment of the European Economic Community (EEC)³⁷

In 1957, Belgium, Luxemburg, Italy, the Netherland, France and Germany signed two treaties in Rome:

- The first was about establishing a European Economic Community (EEC)

³³ محمد محمود الإمام: مرجع سابق، ص528

³⁴ سمير صارم، مرجع سابق، ص76 .

³⁵ بيليس جون وسميث ستيف (2004)، عولمة السياسة العالمية، ترجمة ونشر: مركز الخليج للأبحاث، دبي، ط 1، ص 874

³⁶ صدام مرير الجميلي : مرجع سابق، ص40.

³⁷ سمير صارم، مرجع سابق، ص 77

- The second was about establishing the European Atomic Energy Community (EAEC).

The two treaties were implemented on the 1st of January 1957, at a time when the European community sidelined the EAEC in favor of the EEC, as a base for buttressing economic integration which was based on a unified structure, personal interests, European parliament, the cabinet, the international court of justice.³⁸ These institutions were responsible for supervising the European economic fabric and the established agencies afterwards. The coal and steel community, the EEC and the EAEC merged in 1967, creating a unified European community with its headquarters in Brussels, as an attempt to balance the power dynamic with the two hegemony, being the US and the USSR.

2.2.2.2. Maastricht Treaty

A new name was given to the European community after it was signed in 1992 and implemented in 1993 in response to a call for a political and economic union as a means of expanding the concept of European political unity.

After the unification of Germany and the rise of its political power, France was encouraged to complete the European project in accordance with the new international circumstances, especially as a result of the dissolution of the Soviet Union and the end of the Cold War.

At a summit conference in Maastricht, the members of the European Economic Community amended Rome Treaty and signed a new version of the agreement of the European Union in order to support the fusion of the economic unity, the euro, the political unity, and the security unity.

On the economic and monetary level, they agreed to establish a European free trade zone including all of Europe and to remove all trade restrictions for those countries. The agreement to remove commercial restrictions like import taxes and share systems will also contribute to the development and prosperity of international trade. As well as unifying the currencies used by the members, it was decided to create a unified investment and development bank.³⁸

This treaty also focused on highlighting the European culture and identity at the level of European political unity, focusing on cooperation at the socio-political, technological, environmental, transportation, security, and jurisdictional levels.

The fifth part of the treaty deals with foreign affairs and security policies, including defending the basic interests of the EU as well as defending its borders. As such, it focused on securing the internal and external security of its members, in accordance with the Charter of the United Nations, as well as enhancing international cooperation with its neighbours. Furthermore, the EU ensures the values of democracy, state of law, and human rights.³⁸

2.2.2.3. Treaty of Amsterdam:

Member states of the European Union signed the Amsterdam Treaty on the 2nd of October 1997, and it came into effect on the 1st of May 1999. The EU-wide changes were also aimed at strengthening citizenship, human rights, achieving social freedoms, as well as focusing on security and justice issues.

Three parts of the treaty comprised an appendix, thirteen protocols, and 59 declarations included in the appendix to the final declaration. It also dealt with the principles and laws pertaining to freedom of movement between the European Union, entry visas, and

asylum and immigration. In addition, it stipulates the protection of basic human rights within the EU, such as gender equality, preventing discrimination, and ensuring equal conditions of employment.

Furthermore, it called for the development of a strategy that would address unemployment and unify policies to tackle social problems through close cooperation among member states. It also stressed the right of access to a clean environment, improved health-care services, addressing any relevant issue to the matter.

The Amsterdam Treaty differed from previous agreements and treaties in that it established effective mechanisms to protect and embody these rights within the countries of the European Union. This is accomplished through the adoption of effective oversight mechanisms, such as judicial oversight of fundamental rights and freedoms through the European Community's Court of Justice and collective bodies and institutions.

Furthermore, it was distinguished by the fact that, in the event of serious and persistent breaches or violations by member states, the European Council has the authority to revoke some of their rights, including the right to vote in the Council. Furthermore, it was distinguished by the fact that in the event of serious and persistent breaches or violations by the member states, the European Council can cancel some of their rights, including their right to vote in the Council.³⁸ It also affirmed that the European Union "is based on the principles of freedom, democracy, respect for human rights, the rule of law, which are principles common to member states."³⁹

³⁸ معماش صلاح الدين، القانون الأوروبي لحقوق الإنسان بين النظرية والتطبيق، مذكرة ماجستير، جامعة الجزائر، كلية الحقوق - بن عكنون، 2006 - 2007، ص ص 67-68 .

³⁹European Commission (2007). The European Union: Furthering Human Rights and Democracy across the Globe. op. cit. The Ever-Changing Union an Introduction of the History, Institutions and Decision-Making Processes of the European Union

2.2.2.4. Treaty of Nice:

The Nice Agreement was a significant step toward preparing for the European Union's enlargement to include countries from Eastern, Central, Mediterranean, and Baltic Europe. The existing agreements were amended in this Agreement and entered into force following ratification by all Member States via national parliaments or popular referendum.

The Nice Agreement, signed on February 26, 2001 and entered into force in 2002, addresses a number of issues concerning the operation of the enlarged European Union following extensive negotiations between the fifteen member states. An agreement was reached on institutional issues pertaining to the new distribution of seats in the European Parliament, the prescribed majority vote within the Council of Ministers, and an increase in the number of members of the European Commission.⁴⁰

2.2.2.5. Treaty of Lisbon:

The European Union's member states signed the Treaty of Lisbon in Portugal in December 2007, which includes reforming the European Union's institutions and the decision-making process at various levels. This was done in order to address many of the issues that have arisen in the Union's institutions, particularly the constitution, which was rejected by major countries such as France and the Netherlands.

The Lisbon Treaty's most important provisions included ensuring expanded rights for member state parliaments, developing joint policies in the fields of energy, fuel, and global warming issues, giving the European Union foreign policy coordinator broader

p.6,https://ec.europa.eu/europeaid/sites/devco/files/publication-furthering-human-rights-worldwide-2007_en_0.pdf. Accessed 23.11.19

⁴⁰ John Pender and Simon Asherwood: The European Union, TR, Khaled Gharib Ali, 1st Edition, Hindawi Foundation for Education and Culture, Cairo, 2015, pp. 36-37.

powers than it currently has, a European state presiding over the Union for two and a half years, and finally strengthening the European Union countries' common defense agreement.⁴¹

2.2.3. European Union and the Theories of Integration:

There is no single theory that explains the process of European integration and its political and social behaviour, despite the fact that there are many theories that explain the process of European integration and its political and social behaviour. Given that the process of integration is still ongoing and has not yet resulted in actual integration, there is no unified definition of the integrative phenomenon because each school defines integration from one perspective, without taking into account the differences in determining the time period for studying the phenomenon. The various intellectual currents have been unable to comprehend all of the mechanisms of the integrated political, economic, cultural, and military realms.

The next section explains the most prominent schools in political science that explained the integration of the European Union.

2.2.3.1. Functional Theory:

One of the first approaches to explaining the regionalism was functionalism, which assumes that an imbalance in social and economic conditions is a major cause of war, while economic and social parity is the primary condition for peace.⁴¹ In other words, functionalism is influenced by economic factors and believes that the end result of the integration process will be the formation of a network of supranational functional

⁴¹ جيمس دورتي، روبرت بالاستغراف، النظريات المتضاربة في العلاقات الدولية، بير وت: كاظمة للنشر والترجمة والتوزيع، ديسمبر 1985، ص ٢٧٠

organizations, and that the re-formation of the international community would be on a functional basis rather than a geographical.⁴²

According to Karl Deutsch, functionalism refers to partial amalgamation, which occurs when joint governments delegate some specific functions to a joint agency. However, because these functions are minor, they do not always result in an adequate transfer of the general-purpose sentiment to the new agency. As a by-product, it is now capable of performing any action that necessitates full integration, despite the fact that it is frequently concerned with partial or functional integration, which eventually leads to complete integration.⁴³

As a result, the new functionalism emerged, focusing on the role of political forces in the transition from functional to political integration. Thereby encouraging and pushing the integration process to higher levels.⁴⁴

Ernst Haas, on the other hand defines integration as the process of transforming allegiances into a new transnational institution whose powers extend beyond member states' borders. It is believed that transnational authorities are required for the success of economic cooperation, and that their value outweighs political costs. Haas relied on the diffusion factor, believing that success in one dimension of economic cooperation will increase the interests of political elites and government institutions in launching a new dimensions of cooperation, thereby completing the integration process.⁴⁵

⁴² محمد فايز فرحات: الإقليمية الجديدة وتطبيقاتها: دراسة حالتي الأبك وتجمع المحيط الهندي، رسالة ماجستير مقدمة لكلية الاقتصاد والعلوم السياسية جامعة القاهرة، ٢٠٠١ ص ١٧.

⁴³ كارل دويتش: تحليل العلاقات الدولية، ترجمة: شعبان محمد، الهيئة العامة للكتاب، القاهرة ١٩٨٣، ص ٢٦٩.

⁴⁴ محمد فايز فرحات: الإقليمية الجديدة وتطبيقاتها، مرجع سابق، ص ٢٢.

⁴⁵ Dr.. Raymond Haddad, International Relations, House of Truth, Beirut, first edition, 2000, p 207.

Ernst Hass identifies new conditions for functionalism, so that international cooperation programs lead to maximizing collective welfare, which is summarized in the following⁴⁶:

Hass called for the functions to have an economic significance for the countries concerned and countries' representative to have an effective role in the decision-making process of their countries, The theory also indicated that countries represented in international organizations to be in cultural harmony in order to forge an understanding between countries' elites, who have shared interests across borders.

The difference between the old and new versions of functionalism, is that the former weakens existing sovereignty by spreading it among several international organizations, while the latter works to delegate sovereignty in favour of a new transnational body. While functionalism has moved away from regionalism, the new functionalism is moving toward a broader Region on a basis that is closer to federalism. The new functionalism follows a step-by-step strategy that can be achieved incrementally through international transnational institutions with specific powers, but whose decisions have direct effects.⁴⁷

2.2.3.2. Realism Theory:

Realism, as seen by its thinkers, starts from a conservative hypothesis based on human nature characterized by selfishness and malignity. Its theoretical basis rests on the ideas of Nicola Machiavelli (1469-1527) and Thomas Hobbes (1588-1678) about man's

⁴⁶- James Doherty, Robert Balstgrave, op. pp. 289,290.

⁴⁷د. ريمون حداد، العلاقات الدولية، دار الحقيقة، بيروت، الطبعة الأولى، 2000، ص 207.

aggressiveness and selfishness, as manifested in his relentless pursuit of maximizing his personal interests at the expense of others.

According to realism, international politics is nothing but a power struggle between states.⁴⁷ Therefore, the state seeks to preserve itself by maximizing its power because it is convinced that the international system is nothing but an arena of competition, and in this perspective, it is interested in seeing the world as it is and not as it should be.

Edward H. Carr (1892-1982) is actually considered the pioneer of realism, not Hans Morgenthau (1904-1980), as some think. His book was published in 1939 with the title, "The Twenty-Year Crisis, 1919-1939: An Introduction to the Study of International Relations," in which he described realism as a rational theory that destroys idealistic notions about the structure of international relations. Morgenthau on the hand, is the pioneer of historical realism, which he wrote about in his book, "Politics Among Nations: The Struggle for Power and Peace." In his point of view of the reality of international politics, he considers international political relations to be similar to human relations, in terms of their tendency seek power to maintain survival and enhance self-security. Indifference to moral standards, as a state is its own master in the absence of an international order and the prevalence of anarchism.⁴⁸

The rest of the traditional realist thinkers do not differ much among themselves on the concept of power, except in minor ways, for example Arnold Wolfers (1892-1968), who still saw power as a central issue for the state, rejected the idea that states are always motivated by a desire to increase their power. Henry Kissinger, the well-known American politician, also did not deny the importance of power to the state, although he acknowledged the role of diplomacy in resolving international conflicts.

⁴⁸ Morgenthau, Hans J. (Hans Joachim) 1978, *Politics among nations: the struggle for power and peace*, 5th ed., rev, Knopf, New York, pp 7-14.

In contrast to idealist politics, which adopts moral approaches, realism refutes the of ethics in international relations because of its contradictory nature with the reality of the political structure.

2.2.3.3. Neo- Realism Theory:

Despite the realists' commitment to the issue of power and its centrality in their theory, this did not prevent them from responding to theoretical and conceptual changes in international relations, as well as developments in international reality. Most notably, the fact that the two main poles did not enter into a direct military conflict, forced realists to acknowledge the possibility of avoiding war among great powers.

The detente policy pursued by the United States toward China and the Soviet Union at the turn of the twentieth century. This resulted in the emergence of structural realism which relied on a mechanism of multiple systems that is based on the interaction between its elements (Systems, Structures, Units), as adopted by many thinkers, including Robert Keohane.

Furthermore, Kenneth Waltz systematically modified realism by pointing out the anarchic structure of the international system, based on the mechanism of interaction between its parties, thereby eliminating intellectual fallacies on the concept of power.

He also introduced the economic dimension as a power variable, which allowed further flexibility against the backdrop of a changing political landscape. In his systematic approach, he concurs that neo-realism is a theoretical, ahistorical approach to political knowledge, as he negates the dialectical nature of the theory, and contends on the interactive dynamic among different level actors.

Barry Buzan concurs with Waltz, on that realism reached a stage where it needs a conceptual change, through an updated version of its approach and analysis, but that does not mean a complete elimination of its theoretical basis.⁴⁹ He also saw that the rules of structural realism shape the state's interaction within the system, which determines its position in the international arena, in a small contrast to Waltz's assumption. Nevertheless, he insists that the state does exist in isolation, as it lives in the shadow of international anarchy.⁵⁰

Modern realists such as Eben Coetzee and Heidi Hudson have affirmed that this theory in particular constitutes one of the features of progress in structural realism. However, they suggest that the neo-liberal and neo-realists disagreement on the conception of democratic peace lacks methodological basis, as both interpretations seem to be similar upon further examination.

According to neorealists, studying international relations transcends the structural hypothesis in dealing with the challenges of the field. Hudson contends that the security issue is no longer an issue of individual states which use power maximization to counter threats from their peers.⁵¹ He refers to the United States' strategy in recruiting anti-Al-Qaeda groups in Afghanistan and Iraq, as it is emphasized that power is a tool that overshadows moral standards, rather than an end, and within this framework, security matters take precedence over power competition. Neo-realists also suggest that regional and international changes constitute new forms of analysis that is above state-level.

As a result, the neo-realists viewed the centrality of conflict between states as natural, against the backdrop of international anarchy, resulting from the absence of the central

⁴⁹ Buzan, P., Charles J. and Richard L. 1993. *The Logic of Anarchy: Neorealism to Structural Realism*, Columbia University Press, p108-110

⁵⁰Buzan, B. (1995). *The Level of Analysis Problem in International Relations Reconsidered*. In K. Booth & S. Smith (Eds.), *International Relations Theory Today*. Cambridge: Polity Press, pp 202-207

⁵¹ *ibid*

authority in it. This view is opposed to traditionalists, who saw the cause of conflict to be the pursuit of power maximization as part of human nature. Within this paradigm, periods of peace between states are explained by the states' preoccupation with strengthening its military power in anticipation of external threats.

In light of the development of behavioural science paradigms and the concomitant crowding of the international relations field before the end of the Cold War, traditional and structural realism faced many criticisms.

This situation forced it to adopt aspects of behavioural science theories along with the theory of rational choice. There was also a recognition of new actors in international relations, which prompted theorists to move from a theoretical framework based on human nature to structural nature of the international system.

Therefore, neo-realism finds it necessary to recognize the role of international institutions in the attempt to regulate international anarchy, in the absence of a central authority, and as states seek to achieve some relative gains out of their relentless pursuit of their national interests, which are believed to be legitimate.⁵²

Based on the aforementioned, it could be concluded that the realist theory explains European integration through the concept of power. Therefore, the merger was merely a pre-emptive measure against rise the Soviet Union, and the possible re-ascendance of Germany into a hegemonic power.

⁵² Smith, Steve, 2004, *New Approaches to International Theory*, in: *The Globalization of World Politics*, John Bellis and Steve Smith, translation and publication by the Gulf Center, Dubai, pp. 349-400.

2.2.3.4. Liberalism Theory:

Liberalism is no longer a utopian theory that Greek thinkers like Plato, Democritus and Lucretius contemplated, especially those that discuss the civil, religious, political and economic freedoms, as well as the rights of man which should be guaranteed by his state.

Main conceptual basis of liberalism stem from the belief in human freedom, emancipation from the constraints of authority, and his ability to conduct his affairs based on his rational nature as part of the growing wave of individualism.⁵³

This is quite similar to what John Locke, one of the most prominent theorists of the social contract, posited in regards to man's good nature and its links with peaceful living, within the framework of natural law that governs his relations⁵⁴

Based on this principle, the early liberal thinkers such as Immanuel Kant, claimed that there is a possibility to control human behaviour through civil laws, constitutions and state institutions, considering that his benevolent nature pushes him towards permanent peace in order to preserve the prosperity he has achieved.⁵⁵ As for the acts of aggression and war, liberal thinkers deemed it a social construct that could be modified or controlled.

The liberals also believed in the idea of an international federation in which peace prevails, motivated by their admiration for the German and American union at the time.

They posited that the international system is a multi-state group living in the shadow of the absence of central authority, but an absence that does not lead to an inevitable permanent conflict.⁵⁶

⁵³ محمد ربيع وإسماعيل مقلد، موسوعة العلوم السياسية، جامعة الكويت، ١٩٩٤، ص 410

⁵⁴ نظام بركات وآخرون. مبادئ علم السياسة. الطبعة الثالثة. الرياض: دار الكرمل للنشر والتوزيع 1989، ص 107

⁵⁵ Kant, I. 1991. Political Writings, ed. Hans Reiss, Cambridge University Press, pp. 99-100

⁵⁶ Viotti, P. and Mark K. 2010. International Relations Theory, 4thed, London, Pearson, pp. 123

For this reason, liberal theorists believe that the gradual development of human society, which Kant spoke about, will lead to an international community that teaches them that peace fairs better than war. Furthermore, the pioneers of liberalism focus on the economic aspect of the theory and consider it the starting point in the relationship of the state with its society.

Adam Smith called for free trade, dependence on private property, open markets, and halting state interference⁵⁷. Richard Cobden also opines that the capitalist system would achieve higher levels of peace and prosperity, and was supported by Schumpeter Joseph (1885-1950), who viewed capitalism as major factor in building a democratic system and guaranteeing a lasting peace.

Liberal's position on domestic politics is inextricably linked to their position on international politics. They recognize that war is one of the basic characteristics of international relations, but maintain that it is not a permanent reality, as it could be altered through a change of ideas.

Therefore, it considers the individual as the central unit of analysis, where he must possess freedom of thought and liberty of social, economic and political practices. Thus, there must be an acknowledgement of plurality and diversity, guaranteed by the state, as the body that holds the responsibility of citizens' rights' protection. On an international scale, liberalism finds that the establishment of an international federation will be a decisive factor in controlling the behaviour of the parties and achieving a relative of harmony of interests.

⁵⁷ Balaam, DN, Michael V. 2005. Introduction to International Political Economy, London, Pearson, 55-57.

However, the power dynamic between the great powers at the beginning of the twentieth century have once again questioned the liberal hypothesis on international relations.

Contrary to realism, liberalism believes that there is a supreme value for establishing a world government that puts an end to wars and achieving lasting peace. It would be also necessary to strengthen inter-state cooperation, open space for free trade, guarantee human rights and freedom and ensure equality, as well as solidify rule of law and moral values, as major pillars in international relations.

2.2.3.5. Neo- Liberalism Theory:

Despite the deficiencies of liberalism in the face of behavioural criticism, and the tendency to use quantitative analysis in order to make political science an empirical science, liberalism has maintained its coherence due to the elements of extremism in both behavioural and realist theories. The former merely focused on transforming political science into an empirical process, and the later limited political analysis to state-level, while dismissing the importance of moral principles.

The new alterations to the methodological basis of liberalism have emerged in the early nineties of the twentieth century, relying on the mechanism of interaction between the new actors in the international system, which was obvious by the unity of Western European countries in 1992, the collapse of the communist bloc in Eastern Europe along its tendency to adopt Western capitalist values. This is in addition to the emergence of China as a rising power that attracts massive capital investments, and the rise of international intergovernmental organization like the UN, which came at a time of growing commercial and financial capacity of multinational companies, the end of

geopolitical polarization and the transition from vertical to horizontal interaction. Joseph Nye has indicated in his book "Power and Interdependence", the influence of diverse actors in transnationalism and creating the concept of interdependence.⁵⁸

The changing dynamic within the international system, had an important role in further validating theoretical claims of institutional liberalism, as it recognized the emergence of new actors and the concomitant plurality of power-centres in the international system, while eschewing the hypothesis of classical liberalism on the need for an international authority.

Within this vision, there is a new reality of international anarchy in light of the possibility of cooperation and international integration and the abandoning concepts of striving towards war and maximizing power. This idea became clear in the transitional phase, as Robert Keohane indicates the important role the international institutions play in controlling the state's behaviour, while states control the behaviour of the diverse internal political and social actors.⁵⁹

Francis Fukuyama and Michael Doyle emphasized the idea of democratic peace, when they considered the commitment towards democracy and the protection of human rights, as well as the interdependence and interaction among states, to be essential factors in pushing states towards peace and security. Doyle contends that non-democratic states are the ones that resort to war and aggression, in contrast to their democratic counterparts, which are not inclined to fight each other⁶⁰

Hence, neoliberalism has gone beyond the traditional hypothesis of classical or institutional liberalism that focused on moral values in international politics, as wars do

⁵⁸ Nye, JS and Robert K. 1977. *Power and Interdependence*, Boston, Little-Brown, 77-83

⁵⁹ Keohane, RO 1991, *International Institutions and State Power: Essays in International Relations Theory*, Boulder, Col, West view, 2ed, 12-13.

⁶⁰ Doyle, MW 1999. "On the Democratic Peace", *International Security*, 19(4), 179-180

not arise if international cooperation is well promoted along with the popularization and peaceful spread of liberal democracy in the world. The theory explains the changes in the international system during the third millennium have led to the emergence of a new inter-state relations' paradigm, perhaps the most important of which, is the reproachment between on the basis of sharing information through diverse means of communication.

2.2.4. European Union Institutional Structure:

In terms of organizational and institutional structure, the European Union appears to be closer to a governmental organization than it is to that of a state; being an intergovernmental organization that is founded upon free and voluntary cooperation among member states.

In order to draw a clear picture of the institutions in a way that highlights the uniqueness of the European political system, mechanisms and developments, we see that the organizational structure of the European Union is divided into primary(main) institutions and then independent consulting institutions as subsidiary bodies.

2.2.4.1. Main Institutions:

There are six institutions that contribute to the decision-making process in the European Union: The European Council, Council of the European Union (Ministerial Council) The European Commission, the European Parliament, the European Court of Justice, and the Economic and Social Committee.

1. European Council:

The council has a dual function with two different dimensions, one is legislative and the other is executive. The council is the main player in the legislative equation, especially in matters related to accelerating the process of European integration. At the same time, it is one of the main pillars of executive authority in the political system of the European Union.⁶¹ It is also the main link that connects the other two main organizational bodies, which are Parliament and the Commission.

The European Council was established in 1974, during which the heads of states or governments that are members of the Union meet periodically. The Council convenes 4 times a year under the chairmanship of one of the heads of state or government to draw up the general plan while leaving the technical details to be dealt with by the Ministerial Council⁶².

Presidents also meet for the purpose of political cooperation to discuss major challenges, and only Heads of State and Government, Ministers of Foreign Affairs, along with the President and Vice-Chairman of the Committee attend such meetings.⁶³

It is considered an advisory body concerned with political matters and issues related to union, formerly known as Community, and its foreign policy, in addition to its right to enact various legislation at the union's level, in light of the proposals made by its commission.

⁶¹ الحبيب أنفاد: "نظام الإتحاد الأوروبي المؤسسات السياسية"، مطبعة الجسور، وجدة، 2009، ص 22

⁶² جواس حسن رسول، البرلمان الأوروبي طريق إلى التكامل الإقليمي، رسالة دكتوراه، كلية الحقوق الجامعة اللبنانية، بيروت، 2013، ص 21.

⁶³ European Council, Council of the European Union, <https://www.consilium.europa.eu/en/european-council/>, accessed 16.11.2019

Furthermore, the Council is obligated to take the opinion of both the European Parliament and the Economic Council, however, it is not obligated to abide by it.⁶⁴

The European Council is not a stand-alone institution, rather it is a summit meeting of the heads of member states or government along the presidents of the European Commission and European council, and it does not directly interfere in the daily management of the Union.

However, its main function is to set the general political directions and priorities to the rest of the institutions in the European Union. In this context, the Council played an important role in directing issues related to economic and monetary union and coordination in the field of foreign policy among member states, especially after the Maastricht Treaty.⁶⁵

2. The Council of the European Union

The council the top of the hierarchy in terms of decision making at the union, and it is referred to as the Council of the European Union or the Ministerial Council. This council is an important source of legitimacy for the European Union. It specializes in two different tasks, The first being a legislative functionary in tandem with the parliament, and the second is of executive nature in cooperation with Europe Commission⁶⁶.

Each of the member states of the European Union votes on the decisions taken by the Council of European Union, as it consists of representatives of the member governments, changing in accordance with the nature of the work carried out. Different

⁶⁴ صلاح الدين حسن السبسي، الاتحاد الأوروبي و العملة الأوروبية الموحدة (اليورو) القاهرة : عالم الكتب، ط 1، 2003 ، ص2

⁶⁵ محمد مصطفى كمال ،د.فؤاد نهرا، صنع القرار في الاتحاد الأوروبي والعلاقات العربية الأوروبية ،بيروت مركز دراسات الوحدة العربية، 2001، ص ص 41-42.

⁶⁶ عبد الوهاب بن خليف، الاتحاد الأوروبي في الميزان الفرنسي الألماني، دار قرطبة، الجزائر، 2009 ،ص 220..

government ministers attend different meeting in accordance with the type of issue at hand; The economic and finance ministers for economic issues, the environment ministers for issues such as global warming...etc. ⁶⁷

However, the member states do not have equal votes, as each country has a number of votes commensurate with its size. Germany, France, Italy and the United Kingdom each have ten votes, Spain have eight, Belgium, the Netherlands, Portugal and Greece each have five, Denmark has 3 and finally Luxembourg has only 2.

After they joined the union, Austria and Sweden had the right to 4 votes, while Finland had 3. A majority vote requires 56 votes, which means that rejecting any legislation requires a percentage of 30%⁶⁸. The council also represents the final decision authority, as it has the responsibility to decide on the foreign policy and shared security interests and concerns of the member states.

3. European Commission:

The European Commission is the executive branch of the Union, ⁶⁹ which proposes legislation, enforces EU laws, and manages the administration processes at the union. It was created as a result as the Merging Treaty in 1967, to coalesce executive powers of the three European Communities (the European Coal and Steel Community, the European Economic Community and the European Nuclear Energy Community).

⁶⁷ خليل حسين ، " المنظمات القارية و الإقليمية "، بيروت دار المنهل اللبناني، 2010، ص 78

⁶⁸ محمد مصطفى كمال، د.فؤاد نهرا، صنع القرار في الاتحاد الأوروبي والعلاقات العربية الأوروبية، بيروت مركز دراسات الوحدة العربية، 2001، ص ص 41-42.

⁶⁹ جمال عبد الناصر مانع، التنظيم الدولي، النظرية العامة و المنظمات العالمية و الإقليمية و المتخصصة، دار العلوم للنشر و التوزيع، عنابة – الجزائر، 2006، ص 336

The headquarters of the Commission is located in Brussels, Belgium as well as being independent in the performance of its tasks that it does not receive any instructions from Member States⁷⁰.

The European Commission is the executive body of the European Union, which has the initiative to formulate Union's policy and act for the common good of the European Union. The commission monitors the implementation of the treaties and laws of the European Union under the supervision and control of the European Court of Justice, and has the right to resort to the latter in the event of a violation of the laws or treaties of the Union.

The commission also undertakes the implementation of the union's programmes, as well as coordinating between the institutions and bodies of the union. Besides, it develops and proposes annual and three-year or five-year programs of the Federation. The commission also studies and proposes the union's legislation and laws, which are not to be passed if they are not proposed by the same commission, unless relevant treaty/ treaties stipulate otherwise.⁷¹ It consists of 27 commissioners, advisory boards and a large number of public and private administrations. Furthermore, it meets as a collective body at least once a week, and decisions are taken by the minor majority. The President of the Commission is appointed by the European Parliament, by a majority vote, based on the nomination of the European Council. Eleven representatives belonging to nine countries have rotated in the presidency of the commission for different periods. This representation in the presidency of the commission indicates that considerations related to technical competence may outweigh political considerations.

⁷⁰ بسبوني هاشم عبد الرؤوف، المفوضية الأوروبية : الحكومة المركزية للاتحاد الأوروبي، دار النهضة العربية، القاهرة، 2005، ص 54.

⁷¹ أبو الخير أحمد عطية عمر، النظام المؤسسي للاتحاد الأوروبي، دار النهضة العربية القاهرة، 2007، ص 85.

The Commission in the EU exercises functions and powers of multiple dimensions, including the preparation of legislations. Furthermore, it is the planner and initiator of preparing all the necessary proposals to maintain the momentum in the European integration movement and works on ensuring its continuous development.

At the top of its agenda is the consolidation of the European integrative process, through its executive role which entails implementing, supervising and management of EU's policies, as it has the supreme authority in politics, agriculture and politics. Additionally, the commission is responsible for the management of funds, serving social and regional purposes, as it has control over the implementation, assuming the role of the guardian to ensure the implementation of the legislation and agreements adopted by the union, as due diligence. In the case of violation, the Commission may resort to the European Court of Justice against the breaching party⁷².

4. European Parliament:

The European parliament was established in 1957 as an advisory body,⁷³ and it consists of elected representatives for five-year terms. Elected representatives have a legal immunity akin to that of state officials. The deputies group themselves into parliamentary blocks based on their political affiliation; there are between eight and twelve parliamentary blocks that hold a meeting every year in Strasbourg, while other sessions are held in Brussels. According to the Treaty of Rome, there are situations where the ministerial council is not able to make the final decisions without consulting Parliament, or going through what is known as a compulsory consultation⁷⁴.

⁷² زياد شفقان الضرابعة، الإتحاد الأوروبي و القضية الفلسطينية، دار الحامد للنشر و التوزيع، عمان، 2010، ص36

⁷³ محمد مصطفى كمال و فؤاد نهرا، مرجع السابق، ص 48..

⁷⁴ عامود أبو محمد، البناء المؤسسي للاتحاد الأوروبي، مجلة السياسة الدولية، عدد 157، 2004، ص 78..

There was a need to set a specific limit for the seats in the European Parliament so that it does not turn into a prodigious general assembly which would complicate the decision-making process. Consequently, the Amsterdam Treaty set the maximum limit at 700 seats, then the Treaty of Nice raised the number to a maximum 736 seats, with a minimum number of 4 seats allocated to the smallest country⁷⁵. Both maximum and minimum figures are said to be guaranteed by the European constitution.

The Parliament's scope of authority falls within the legal framework stipulated in the treaties establishing the European Communities (participation in legislative activity, approval of the budget, exercise of general control over the activity of the Commission and the Council). The Maastricht Treaty has given the Parliament other prerogatives such as naming members of the Committee and the approval of all international treaties, as well as taking appropriate measure towards preserving a unified European market.

The Council meets for one week each month in Strasbourg (France) where debate's contents and undertaken decisions are published in nine European languages.

The Parliament exercises supervisory power on delegate members, in terms of ratifying their approval, as well as their dismissal. It also evaluates the work of the commission, and monitors the day-to-day management of European policies, by asking oral and written questions to both the commission and the council. The Parliament can also submit citizens' complaints to the commissions, in case of receiving any.⁷⁶

⁷⁵ عبد الوهاب محمد اسماعيل العمراني، الاتحاد الأوروبي و العلاقات اليمينية الأوروبية، دار الشروق للنشر و التوزيع، عمان (الأردن)، 2011 ، ص 36..

⁷⁶ بيسيوني هاشم عبد الرؤوف، المفوضية الأوروبية : الحكومة المركزية للاتحاد الأوروبي، دار النهضة العربية، القاهرة، 2005 ، ص 76 صلاح الدين حسن السنيسي ، مرجع سابق ، ص 25.

5. The Court of Justice of the European Union:

The Court of Justice of the EU, headquarter located in Luxembourg, is the only judicial body responsible for ensuring the legality of the Ministerial Council and the European Committee. The court is the final destination for the complaints and lawsuits among the member states, as it is also specialized in resolving disputes among them.⁷⁷

The court consists of one appointed judge for each EU country, and 11 advocates general who are appointed for a renewable 6 year-term. The individual opinion or position of a judge would not be revealed even if it contradicts with that of the majority as this mechanism ensures judiciary independence away from political pressure⁷⁸.

The judges and advocates are selected per agreement between Member States based on their individual qualities and merits. There are judges with experiences in various fields, in order to monitor the implementation and interpretation of a law related to economic and/ or social realms.⁷⁹

6. The European Economic and Social Committee:

This committee emerged from the ECSC in 1957, and it consists of 222 divided members who are divided into three groups: business owners, workers and other interest groups (farmers, nurses, consumers' representatives, teachers, cooperatives, families and environmental movements).⁸⁰

The Economic Affairs Committee is made up of representative representatives from different geographic regions, to discuss various economic activities. The Committee provides consultation services for the purpose of assisting the European Community and

⁷⁷صلاح الدين حسن السبسي ، مرجع سابق ، ص 25.

⁷⁸انور الهواري"،الناتو الجديد ومستقبل الأمن الأوروبي"، السياسة الدولية، العدد 129 جويلية 1997 ، ص 78..

⁷⁹عبد العظيم الجنزوري، الأسواق الأوروبية المشتركة و الوحدة الأوروبية، القاهرة، دار المعارف، ، ص 80..

⁸⁰عبد المنعم سعيد، الجماعة الأوروبية تجربة التكامل والوحدة، مركز دراسات الوحدة العربية، بيروت، 1986 ، ص 92.

the European Atomic Energy Commission. It also works to assist the Higher Committee and the European Council by contributing towards the union's commercial and industrial development.

2.2.4.2. Other EU institutions and bodies:

In addition to the previous institutions, there are other bodies which hold different functions that could be either, mere advisory or administrative roles, that are irrelevant from decision-making processes in the EU. Nonetheless, all of the institutions within the EU, work to serve the process of European integration, and these Bodies are mentioned below:

1. The European Court of Auditors

The European Court of Auditors was established in 1975, and it is the body responsible for examining and reviewing the budget and accounts of the EU in all its details, whether related to revenues or expenditures.⁸¹

2. The European Committee of the Regions:

The Committee of Regions was established in pursuant to the Maastricht Treaty and consists of regions and local authorities' representatives of the member states. The committee is consulted by the Ministerial Council and the Commission in a number of areas stipulated in the Maastricht Convention,⁸² ranging from education, culture, transportation, combating unemployment and social legislation, however its advisory opinion is not binding on the EU's institutions.

⁸¹ صلاح الدين حسن السبيسي، مرجع السابق ، ص 30

⁸² جمال عبد الناصر مانع ، مرجع السابق، ص 335

3. **The European Central Bank:**

This bank was established at a late stage in the life of the European Community, and the main function of this bank was similar to a sovereign state's central bank, which is to maintain the stability of the European currency, through controlling the union's monetary policy following the adoption of a unified currency across its members, with the exception of members, such as England.⁸³

4. **The European Investment Bank**

The Rome Agreement of 1957 facilitated the establishment of a non-profit financial institution in the Community that works to achieve a balanced and sustainable development among its member states. The Investment arm of the union aims to narrow the gap between European countries' individual growth rates, by financing joint projects within these nations, with the aim of supporting the goals of the community as a whole, which would serve overcoming the problems of integration. The Bank also finances other European projects outside the borders of its member states, with the aim of opening up to foreign markets and strengthening the EC's relationship with the outside world⁸⁴.

⁸³ محمد مصطفى كمال ، فؤاد نهرا، مرجع سابق، ص 46.

⁸⁴ حسن نافعة، البناء المؤسسي للاتحاد الأوروبي، مجلة السياسة الدولية، عدد 157، 2004، ص 48

Chapter Three:

The European Union: The motives and Determinants of Promoting and Supporting Democracy

The promotion of democracy, human rights and institutional reform are among the main stated objectives of the Common European Foreign and Security Policy (CFSP) towards non-Mediterranean countries, including the occupied Palestinian territories. These issues and values behind them, are embedded in the Euro-Mediterranean Partnership (EMP) and the European Neighbourhood Policy (ENP) agreements. In general, the EU has included policies in favour of the promotion of democracy, institutional reform and human rights in treaties and agreements signed with all countries of the world, including the Palestinian Authority. One example would be the European Neighbourhood Policy Action Plan and the Palestinian Authority signing an agreement in December 2004, which stipulated the promotion of democracy and human rights.

This chapter is divided into two parts. In the first part, the researcher will clarify the European Union's motives for spreading democracy and human rights at the global and regional level, and in the occupied Palestinian territories in particular. In the second part, the researcher will define key parameters for the actual promotion of democracy in the occupied Palestinian territories, and the determinants of the EU decision-making mechanism.

3.1. The Motivations of Fostering Democracy and Human Rights:

The Treaties which established the European Economic Community (EEC) In the 1950s barely mentioned human rights or democracy as they focused on economic cooperation

and integration treaties as a means “to secure peace”⁸⁵. but the conglomeration has evolved into more of a "community of values", transforming itself into something akin to a constitutional body.⁸⁶

Since 1991, the European Union has placed the promotion of democracy and human rights at the heart of its foreign policy, in addition inspiring values of respect for human dignity, equality and the rule of law paralleled Freedom, democracy, respect for human rights and political reforms in most European Community treaties, conventions and legal systems.⁸⁷

The Amsterdam Treaty confirmed as previously mentioned that the European Union is “based on the principles of freedom, democracy, respect for human rights and fundamental freedoms, the rule of law and the common principles among member states.”⁸⁸

The Treaty of Nice of 2000 aimed at promoting human rights and fundamental freedoms, in regards development and all other forms of cooperation, thus covering trade agreements⁸⁹. In 2003, the Commission on Governance and Development had put forward a policy-guidance mechanism aiming to strengthen the link between development initiatives, governance and political reform.

⁸⁵European Commission. (2007). The European Union: Furthering Human Rights and Democracy Across the Globe European Commission External Relations: European Union. Retrieved from:http://www.eeas.europa.eu/human_rights/docs/brochure07_en.pdf. p.13. Access date: 29.11.2019

⁸⁶Pace, M. (2009). Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization* 16(1): 39-58. p. 41.

⁸⁷Gillespie, R. and Youngs, R. (2002). Themes in European Democracy Promotion. *Democratization*, 9(1).1 - 16. p.14.

⁸⁸ Ibid.

⁸⁹Baracani, E. (2008). The European Union and Democracy Promotion: A Strategy of Democratization in the Framework of the Neighborhood Policy? (Doctoral dissertation, University of Florence, 2008). Retrieved from<http://www.fscpo.unict.it/EuroMed/baracani.pdf>. p.7. Access date: 29.11.2019

The commission stated that it sought to use its aid programs to “promote freedom around the world as a basis for sustainable development.”⁹⁰ In the framework of CFSP, the EU has formulated a set of tools that have been used to promote human rights and democratization, such as through a policy of expanding the Union’s political Partnership and dialogue to ensure the implementation of Human rights and democracy included in EU agreements with its international partners.

As a result, the European Union has become one of the most important players promoting democracy and reform worldwide, especially towards its partners and neighbours in southern or eastern countries.⁹¹ In order to implement these goals and values on the ground, the European Union spends millions of euros annually. In other words, the European Instrument for Democracy and Human Rights spends more than 100 million euros a year⁹².

Several factors explain the motivations behind the EU's efforts to promote democracy. Some point to the internal factors inherent in the EU's internal structure and the way European policy makers view the EU's international identity as a benevolent force among international players.

This trend is led by Germany, which considers the European Union a normative power that must use economic and trade tools to achieve political goals, thereby reflecting its liberal theory. Other reasons relate to the limitations of the EU, specifically its lack of military strength as well as the complex history of its members⁹³.

⁹⁰Youngs, Richard, Kristina Kausch, David Mathieson, Irene Menendez and Jeroen De Zeeuw. (2006). Survey of European Democracy Promotion Policies 2000-2006. Madrid: FRIDE

⁹¹Yacoubian, M. (2004). Promoting Middle East Democracy European Initiatives. Washington, DC: US Institute of Peace. Retrieved from <http://purl.access.gpo.gov/GPO/LPS59638>. p.11. Access date: 29.11.2019

⁹²Kausch, Kristina, David Mathieson, Iren Menendez, Richard Youngs, Jeroen de Zeeuw (2006). op.cit.,p.23

⁹³Morlino, L. (1998). Democracy between Consolidation and Crisis: Parties, Groups and Citizens in Southern Europe. Oxford: Oxford University Press. p 16.

The EU considers democratization as part of peacebuilding that is often a key component of national reconciliation after civil war or conflict. McFaul argues that European democracy policy is based on an idea that "encourages human development, promotes a relatively high degree of political equality, and promotes peace"⁹⁴. He concludes by saying that "democracies do not fight each other, they generate prosperity in their geography."⁹⁵.

In addition to the above-mentioned internal factors, there are external factors that prompted the EU to promote democracy abroad. Morlino divided the external motives behind European democratization efforts into four categories. First, during the 1970s and early 1980s, the group had to deal with the need to facilitate democratic transformation in former authoritarian countries Greece, Spain and Portugal, which was necessary for acceptance of these countries into the union. Second, the dissolution of the Soviet Union in the late 1980s and early 1990s posed risks of instability, especially with the rise of hyper-nationalism. The response culminated in the official decision taken in December 2002, to expand the union to include ten new member states⁹⁶.

Third, Morlino considered the geographical position with Europe one of the most important motives behind European efforts aimed at democratizing the Mediterranean, Middle East and Africa. Finally, the colonial history of many of the major EU member states (Belgium, France, the Netherlands, Portugal, Spain and the United Kingdom) has meant that since the 1960s, the Community has been engaged in more traditional forms of democracy promotion through its aid and development policies.⁹⁷

⁹⁴McFaul, M. (2004). *op. cit.*, p.56.

⁹⁵Ibid. p.56.

⁹⁶Ibid. p.16.

⁹⁷ Ibid.

3.1.1. The Motivations behind Fostering Democracy and Human Rights in the Middle East:

The European Union considered that the Mediterranean region and north Africa as a strategic partner because of economic interests (trade, immigration, energy) and political interests (stability, security)⁹⁸. However, European interests in the region face many challenges that may jeopardize European interests. Consequently, European decision makers consider non-democratic authoritarian regimes with poor records of protecting human rights and individual liberty, coupled with the lack of regard to the rule of law, as the main sources of instability in the region.

There may be a threat to the European territory since the Mediterranean region and north Africa are geographically approximate to Europe, as they fear radical Islam and terrorist attacks. In its Counter-Terrorism Strategy, the European Council stresses that “the EU’s aid projects to third countries in the area of good governance and the rule of law address factors that can contribute to extremism and recruitment”⁹⁹ Thus, most European initiatives towards the Middle East and North Africa are based on the policy of "stability through cooperation".¹⁰⁰

This approach "was coupled with a vigorous attempt to export the Western European security model based on democracy and market economy"¹⁰¹. The Euro-Mediterranean Partnership at the regional level, bilateral association agreements, the European

⁹⁸ Archick, Kristin & Mix, Derek E.: The United States and Europe: Responding to Change in the Middle East and North Africa, pp4-5. <https://www.files.ethz.ch/isn/165485/210923.pdf>, access date 12.22.2020

⁹⁹EU Council Secretariat (2008). The European Union and the fight against terrorism. EU Council Secretariat Factsheet. Brussels, 14 May 2007. Retrieved from <http://www.consilium.europa.eu/uedocs/cmsUpload/FactsheetfightagainstterrorismENrev1.pdf>. Access date: 30.11.19

¹⁰⁰Junemann, A. (2003). Security-Building in the Mediterranean after September 11. Mediterranean Politics 8, 1-20. p.2.

¹⁰¹Ibid. p.2.

Neighbourhood Policy (2003) and their bilateral action plans are the main tools through which the new European approach can be implemented.¹⁰².

Political Islam, extremists, and terrorist attacks were one of the main drivers behind the promotion of democracy and economic and legal reforms in the MENA region, Keohane argues.¹⁰³ Youngs also shares Keohane's hypothesis, noting that the main strategy of the European Partnership - promoting democracy and reform towards the Middle East - is built on an ideology that addresses the social and economic roots of radical Islam, so that "political liberalization is less inclined to produce anti-Western tendencies"¹⁰⁴.

Both the Euro-Mediterranean Partnership Initiative and the European Neighbourhood Policy include material and legal clauses related to democracy and human rights in their agreements. In addition, they have embarked on several projects to encourage the adoption and implementation of good governance, rule of law, democracy and human rights.

Furthermore, the Joint European Strategy on the Mediterranean region of June 2000 emphasizes the importance of democracy and respect for human rights as an important element: "The European Union will work with its Mediterranean partners to: develop good-neighbourly relations; improve prosperity; eradicate poverty; promote and protect all human rights and fundamental freedoms, democracy, good governance and the rule of law"¹⁰⁵.

¹⁰² Ibid. p.3.

¹⁰³Keohane, D. (2008). The Absent Friend: EU Foreign Policy and Counter-Terrorism. *Journal of Common Market Studies (JCMS)*, 46 (1) 125–146. p.126.

¹⁰⁴Youngs, R. (2002). The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy. *Democratization*, 9, (1) 40-62.

¹⁰⁵European Council. (2000). Common Strategy of the European Council on the Mediterranean Region. (Brussels: 2000/458/CFSP, Official Journal of the European Communities. Retrieved from :<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex%3A32000E0458>. Access date: 30.11.19

3.1.2. The Motivations of Fostering Democracy and Human Rights in Palestine:

The EU believes that only a qualified and institutionalized Palestinian Authority is capable of actively participating in any renewed peace process. In other words, the main driver behind the EU's democratization efforts in the Occupied Palestinian Territories is that PA reform will gain international and even Israeli confidence, thus strengthening its negotiating position in a potential peace settlement.¹⁰⁶ Democracy, human rights and reform have become at the heart of the EU's official discourse in its relations with Palestine, especially since the EU's policy on human rights and democratization in the Mediterranean has been presented by the EU as a strategy rather than just a moral imperative.¹⁰⁷ Similar to the rest of the Association Agreements, the EU prioritizes human rights and democracy in its relations with the Palestinian Authority. Article 2 of the Partnership Agreement states that the relations between the Israelis and Palestinians are based on respect and human rights as essential elements in dealing with each other.

¹⁰⁸

In addition, the Partnership Agreement stresses "promoting respect for human rights and democracy, including through socio-professional dialogue."¹⁰⁹ In 2004, the EU and the PA agreed on a joint European Neighbourhood Policy action plan outlining agreed upon priorities. The Interim Partnership Agreement is the main tool for implementing the plan and three sub-committees were established to facilitate the implementation of the

¹⁰⁶Brown, N (2007). Requiem for Palestinian Reform: Clear Lessons from a Troubled Record In: Carnegie Papers No. 81. February 2007 Carnegie Endowment for International Peace. Retrieved from:http://www.carnegieendowment.org/files/cp_81_palestine_final.pdf. Access date: 30.11.19

¹⁰⁷Youngs, R. (2003). European Approaches to Security in the Mediterranean. *Middle East Journal*, 57 (3) p. 416.

¹⁰⁸ The "Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part Official Journal L 187, 16/07/1997 P. 0003-0135. [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21997A0716\(01\):EN:HTM](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21997A0716(01):EN:HTM). Access date: 30.11.19

¹⁰⁹ Ibid.

priorities of the plan, where democracy and the rule of law were one of the main principles of the Action Plan.

The partners used the plan as a key tool to achieve and establish a fully functioning independent and impartial judicial system in line with international standards and to promote the separation of powers. The main objectives of the action plan are adopting a coherent strategy for judicial reform, ensuring progress in standardizing the legal codes for the West Bank and Gaza Strip, ensuring effective implementation of the Basic Law; dividing the responsibilities between the Supreme Judicial Council and the Ministry of Justice by training the staff in related fields (including human rights) as well as studying the possibilities of establishing a judicial training institute by implementing the reform of the Palestinian Authority's security services.¹¹⁰

According to the treaty, the action plan covers a time frame of three to five years. Its implementation will help to fulfil the provisions of the Interim Agreement (I) and encourage and support the Palestinian Authority's national reform goals and greater integration into European economic and social structures.¹¹¹

The EU-PA Action Plan covered several areas of cooperation. The articles of the EU-PA Action Plan emphasized several objectives called "priorities for action". These priorities included political dialogue, democracy, rule of law, human rights issues, trade liberalization, judicial reform, economic and social cooperation and development¹¹².

The European strategy emphasized the need to adopt a coherent strategy for judicial reform, ensuring effective implementation of the Basic Law, in particular those articles on citizen rights. At the level of human rights and fundamental freedoms, the agreement also stressed the need to strengthen legal guarantees of freedom of expression and

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

freedom of the press and ensure respect for human rights and fundamental civil liberties in accordance with the principles of international law as well as promote a culture of nonviolence, tolerance and mutual understanding.¹¹³

The European Union provided significant financial assistance to support the promotion of democracy and reform in Palestine. Assistance has been provided to the Palestinians through various financial instruments and institutions, such as the MEDA, which is the technical tool of the Barcelona Process¹¹⁴ and European Neighbourhood and Partnership

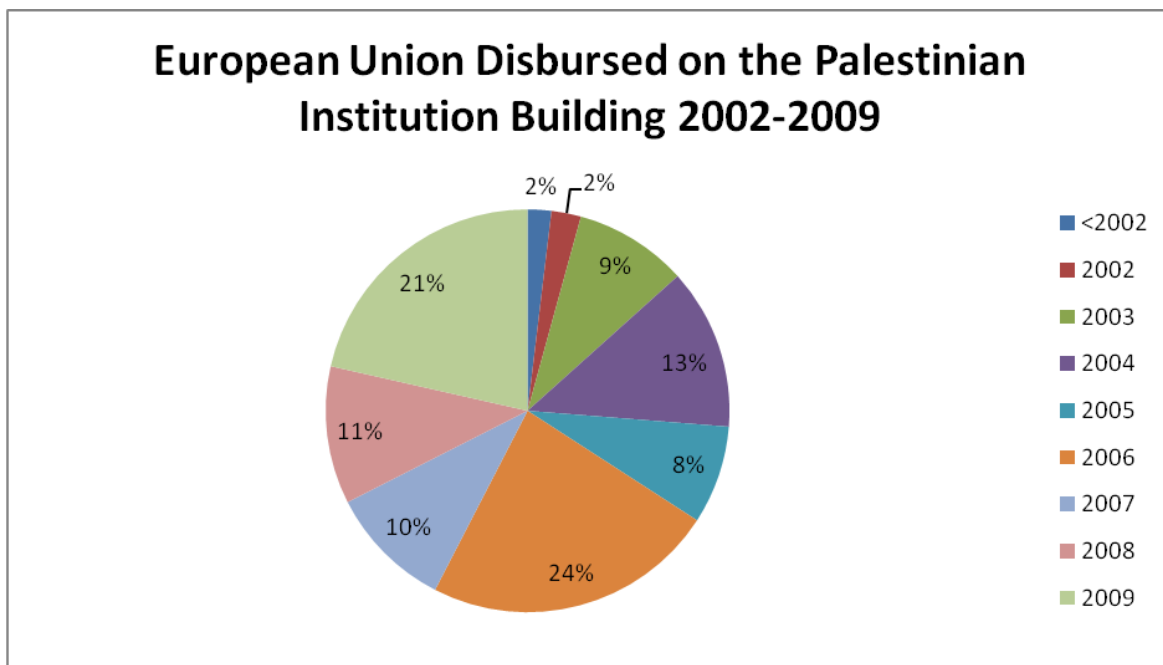
¹¹³ Ibid.

¹¹⁴The MEDA program is the main financial instrument of the Euro-Mediterranean partnership. MEDA comes from Measures D'Accompagnement (French for accompanying measures). The programme's regional dimension deals with problems common to Mediterranean Partners and emphasises the Partners' complementary nature. There is also a bilateral dimension (eg Country Association Agreements).

The MEDA program provides financial support to the Union's Mediterranean policy as defined in the Barcelona Declaration of 1995. The main aims are to support economic transition, to develop a better socio-economic balance, to foster regional integration and to gradually create a euro-Mediterranean free trade area. Going far beyond traditional development aid, MEDA is Mediterranean to the PHARE and TACIS programs in that it makes economic transition and free trade the central issue of EU financial cooperation with the region. The program applies to states, their local and regional authorities as well as actors of their civil society. Policy issues and programming of aid are the responsibility of the External Relations DG, while the EuropeAid Cooperation Office manages projects from identification to evaluation. The beneficiaries of support measures include not only states and regions but also local authorities, regional organisations, public agencies, local or traditional communities, organizations supporting business, private operators, cooperatives, mutual societies, associations, foundations and non-governmental organisations. Invitations to tender and contract are open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners. It is important to realise that about 10% of MEDA funds are used for regional projects or programmes, while almost 90% are spent on National projects based on National Indicative Programmes. MEDA-Water and SMAP are examples of regional cooperation programmes. Since 2004 the Mediterranean Partners have been included in the European Neighborhood Policy (ENP). Retrieved from Regional organisations, public agencies, local or traditional communities, organizations supporting business, private operators, cooperatives, mutual societies, associations, foundations and non-governmental organisations. Invitations to tender and contract are open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners. It is important to realise that about 10% of MEDA funds are used for regional projects or programmes, while almost 90% are spent on National projects based on National Indicative Programmes. MEDA-Water and SMAP are examples of regional cooperation programmes. Since 2004 the Mediterranean Partners have been included in the European Neighborhood Policy (ENP). Retrieved from Regional organisations, public agencies, local or traditional communities, organizations supporting business, private operators, cooperatives, mutual societies, associations, foundations and non-governmental organisations. Invitations to tender and contract are open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners. It is important to realise that about 10% of MEDA funds are used for regional projects or programmes, while almost 90% are spent on National projects based on National Indicative Programmes. MEDA-Water and SMAP are examples of regional cooperation programmes. Since 2004 the Mediterranean Partners have been included in the European Neighborhood Policy (ENP). Retrieved from cooperatives, mutual societies, associations, foundations and non-governmental organisations. Invitations to tender and contract are open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners. It is important to realise that about 10% of MEDA funds are used for regional projects or programmes, while almost 90% are spent on National projects based on National Indicative Programmes. MEDA-Water and SMAP are examples of regional cooperation programmes. Since 2004 the Mediterranean Partners have been included in the European Neighborhood Policy (ENP). Retrieved from cooperatives, mutual societies, associations, foundations and non-governmental organisations. Invitations to tender and contract are open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners. It is important to realise that about 10% of MEDA funds are used for regional projects or programmes, while almost 90% are spent on National projects based on National Indicative Programmes. MEDA-Water and SMAP are examples of regional cooperation programmes. Since 2004 the

Instrument ENPI)) The European instrument of democracy and human rights EIDHR, which replaced MEDA in 2007 and has become the main financial instrument for promoting democracy, human rights and reform programs. In his analysis of the European agenda in Palestine. Stetter found that projects, programs, and financial assistance that are directly or indirectly related to democratization and human rights processes “comprising approximately €231.2 million or 52.6 percent of all aid provided to the occupied Palestinian territories in 1994—1998¹¹⁵.

Figure 1: EU Disbursements on Palestinian Institution Building 2002-2009



Source: Planning Palestinian Ministry/ The General Administration of Aids and Coordination.

March/ 2010.

Mediterranean Partners have been included in the European Neighborhood Policy (ENP). Retrieved from It is important to realise that about 10% of MEDA funds are used for regional projects or programmes, while almost 90% are spent on National projects based on National Indicative Programmes. MEDA-Water and SMAP are examples of regional cooperation programmes. Since 2004 the Mediterranean Partners have been included in the European Neighborhood Policy (ENP). Retrieved from It is important to realise that about 10% of MEDA funds are used for regional projects or programmes, while almost 90% are spent on National projects based on National Indicative Programmes. MEDA-Water and SMAP are examples of regional cooperation programmes. Since 2004 the Mediterranean Partners have been included in the European Neighborhood Policy (ENP). Retrieved from <http://www.emwis.org/overview/fo1101997/fo1221357>. Access date: 01.12.2019

¹¹⁵Stetter, S. (2003). 'Democratization without Democracy? The Assistance of the European Union for Democratization Processes in Palestine', *Mediterranean Politics*, 8 (2), 153 - 173. p.163.

As Figure 1 shows, the European Union has allocated a portion of its financial assistance to support the institutional building of the Palestinian Authority, and the promotion of democracy and human rights. The figure shows a gradual increase in EU spending on Palestinian institution building, especially after former Prime Minister Salam Fayyad put reforms and transparency on the PA's agenda. In addition, came the growing European interest building institutions to meet the needs of the (Palestinian Reform and Development Plan PRDP) to implement The Palestinian Authority's vision for institutional reform and development and its ambitions to establish a sovereign, democratic Palestinian state.

The EU has actively participated in the Reform Task Force, whose role is to monitor and support the implementation of Palestinian civil reforms, and to guide the international donor community in its support of the Palestinian reform agenda.

The members of the Quartet have succeeded in imposing many reform commitments on the Palestinians. In order to build Palestinian government institutions, financial aid and training were provided to key ministries and bodies: The Legislative Council, the police, the Statistics Office, the Palestinian Broadcasting Authority, local authorities, etc.

Furthermore, the EU wanted to give the Palestinian Authority democratic legitimacy, so the EU supported and financed the presidential and legislative elections in 1996, and in 2006, deployed election observers and organized the overall coordination of election observation¹¹⁶.

The European Commission provided the Palestinian Authority with €7.5 million which was used to prepare the electoral law, draw electoral district boundaries, establish the

¹¹⁶Asseburg, M. (2003). The EU and the Middle East Conflict: Tackling the Main Obstacle to Euro-Mediterranean Partnership. *Mediterranean Politics*,8. 174-193. p.178

electoral administrative apparatus, train electoral staff, and organize a public civic awareness campaign. Moreover, “the European Union allocated 10 million euros from the Community budget to cover the cost of the monitoring process, which included about 300 observers.”¹¹⁷.

In addition, the European Council, in November 2004, endorsed a short-term program of work, proposed by the High Representative, to support the Palestinian Authority in the areas of Security, economic and electoral reform. As a result, since 2004, the European Union has contributed 13.3 million euros, about 65 percent of the total costs of the Palestinian elections. The European Union has also contributed to the 2004 voter registration, the 2005 summer registration, the 2006 Palestinian Legislative Council elections, and the update of the register of voters in 2007.¹¹⁸.

In the period 2002-2003, programs were launched Judicial reform which Its total value is seven million euros, where it aims to modernize the Palestinian judicial system. The European Union supports this judicial reform through a number of key programs which include: “establishment of the Palestinian Judicial Training Institute a permanent professional training system; provision of legal training for judges and prosecutors and information technology training for all legal personnel.”¹¹⁹

The programs include both material assistance and training for judges and prosecutors. Furthermore, the European Union organized human rights training for Palestinian

¹¹⁷UNISPAL (United Nations Information System on the Question of Palestine). (2009, December) Press Release by the European Commission on the Issue of the Palestinian Elections, 19 January 1996. Retrieved from <http://unispal.un.org/UNISPAL.NSF/0/C67AF1DCCFD65FDF85256329006C0D0C>. Access date: 01.12.2019

¹¹⁸Khatib, K. (2009). How Promotion of Political Reform by the European Union is Perceived in the Arab World: The Cases of Lebanon and the Palestinian Territories. Stockholm: International Institute for Democracy and Electoral Assistance. p.11

¹¹⁹The European Commission. (2009). Helping to Build Palestinian State Promoting Good Governance and the Rule of Law. Retrieved from http://eeas.europa.eu/delegations/westbank/documents/eu_westbank/governance_en.pdf. Access date: 01.12.2019

security services¹²⁰. Finally, in the area of reform and modernization of the Palestinian police, the European Union has provided more than 16 million euros for the reconstruction of the Jericho Police Training Centre, which was designed by EUPOL COPPS, regional police and security installations¹²¹.

After the Barcelona Process, the European Union, and in particular the European Commission through the MEDA programme, imposed a conditionality clause which states that any violation of human rights or democratic principles will result in the "Immediate suspension of aid".¹²² This clause forced the PA to implement several steps aimed at implementing reforms, particularly in its financial sector and transparency.

Ad Hoc Liaison Committee meetings between the years 2003-2005, approved the improvements that the PA has made in its efforts to reform the financial system. For example, at the meeting that took place in Rome in December 2003, confirmed that the support given by the EU And US, has succeeded in "promoting key reform measures such as fiscal accountability".¹²³

As a result of increasing domestic and international pressure in June 2002, the Palestinian Authority adopted a wide-ranging program on reform. A number of important measures have been taken, such as the adoption and implementation of the Basic Law, and legislation on judicial independence¹²⁴.

In February 2003, the Palestinian Legislative Council adopted the 2003 budget which was announced for the first time. More generally, significant efforts were made to

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Al-Fattal, R. (2010). The Foreign Policy of the EU in the Palestinian Territory. CEPS Working Document No. 328/May 2010. p.39. Retrieved from http://aei.pitt.edu/14582/1/WD328_Al-Fattal_on_EU_FP_in_Palestine.pdf. Access date: 01.12.2019

¹²³ European Commission. (2007). The EU's relations with West Bank and Gaza Strip. Retrieved from Europa, http://ec.europa.eu/comm/external_relations/gaza/intro/index.htm. Access date: 01.12.2019

¹²⁴ For more information about the Ad Hoc Liaison Committee see the Committee reports for 1999 - 2009 see at: <http://www.eu-norway.org/ARKIV/newsarchives/AHLC/>, and also <http://www.mofa.go.jp/announce/event/1999/10/1008-1.html>.

strengthen financial oversight.¹²⁵ In addition, the European Commission has succeeded in enhancing transparency in the public finances of the Palestinian Authority by consolidating its account into a single financial account under the supervision of the Ministry of Finance which is periodically monitored by the International Monetary Fund.¹²⁶ In 2002, under pressure from the international donor community, President Yasser Arafat adopted an action plan for the new government, known as the Hundred Days Plan.¹²⁷

In order to support the reform and rebuilding of the police force in the West Bank and Gaza Strip, linking security as a precondition for development to democratic governance, and in an effort to link security assistance to strengthening the rule of law and supporting the peace process, the EU adopted in 2005 the Joint Action to establish the European Coordination Office for Palestinian Police Support (EUPOL COPPS) and the European Union Border Assistance Mission in Rafah (EU BAM Rafah).

Many observers believe that these reforms will not see the light of day without international pressure on the PA and without the use of conditional clauses as a tool to impose and implement the reforms that the PA needs.

Brown argues that as a result of the commitments the Reform Task Force has imposed on the Palestinians, "the PA may have had the most transparent and efficient financial apparatus of any Arab country."¹²⁸ and adds Brown that the Basic Law has been amended in order to transfer the executive authority from the office of the President to the Council of Ministers headed by the Prime Minister and based on the amendment, the

¹²⁵ European Commission. (2004). COMMISSION STAFF WORKING PAPER, European Neighborhood Policy, Country Report, Palestinian Authority of the West Bank and Gaza Strip. {COM (2004)373 final}

Retrieved from <https://www.refworld.org/pdfid/4153e6d54.pdf>. p. 6. Access date: 17.12.2019

¹²⁶ Al-Fattal, R. *op. cit.*, p.20.

¹²⁷ The Palestinian Center for Human Rights. (2003) Human Rights in the Palestinian Occupied Territories. Gaza: The Status of Palestinian Citizens' Rights, p. 44.

¹²⁸ Brown, N. *op.cit*, p.54.

Prime Minister is fully responsible to Parliament. Brown considers constitutional reform one of the outstanding achievements of international pressure on the Palestinian Authority. Brown believes that placing the Palestinian security forces under the authority of the Council of Ministers, in theory, means subjecting the security forces to parliamentary oversight.

However, the achievements of the EU in this area were not an easy task. The following sections will look at the determinants and challenges that faced by the European Union in its quest to spread democracy and human rights in Palestine How did he face the European Union? These challenges.

3.2. The Determinants of the EU in Promoting Democracy and Human Right in Palestine

In this section, the researcher will discuss the determinants and challenges faced by the European Union in its quest to spread democracy and human rights in Palestine and how the European Union faced these challenges.

These challenges are:

1. The different positions of the member states towards the issue of democracy and human rights in the occupied Palestinian territories.
2. The Israeli occupation.
3. The performance of the Palestinian Authority.

3.2.1. The Disagreement of The Members of The EU on The Issue of Democracy And Human Rights in The Palestine.

Despite the United European approach to democracy promotion and human rights, there were divergences in position between the EU members. Although they have a long experience in cooperation with the Middle East, the member states of the EU have very different positions on the attitude of European countries towards the Middle East and political Islam. These differences result from each member state having its own approaches, interests, and priorities in the region, as well as country-specific local experiences and established practices in regards to Islam in their domestic context.

Although the process of European integration, specifically the Schengen Agreement (1985), has led to the erasure of the borders between the member states of the EU, it has contributed to the creation of a collective European perception of the existence of an external threat coming from the Middle East and North Africa, but the different fear levels of the threat have contributed to a divided European position over the process of democratization. The member states are divided into two groups in their attitude towards the policies of promoting democracy and human rights. The first group is the southern members: France, Spain and Italy, who are wary of supporting European democratization efforts and human rights due to the fear of destabilizing changes in the Middle East and North Africa, which may affect their national security directly due to geographical proximity. The main feature of the policies of the southern members is that they favour gradual change in the MENA region, because they believe that sudden change may bring chaos and violence rather than stability. In other words, they believe in changing the governance system rather than regimes.

Pace describes this policy as EU members preferring to deal with the "devil you know".¹²⁹ Southern EU countries considers their Euro-Mediterranean Partnership as strategic, therefore opted for sector-specific reforms, instead democracy promotion.¹³⁰

Youngs stated that it was as a way to maintain good relations with their partners in the Middle East and North Africa, as they tried to exclude references to democracy from the Barcelona Process, but under insistence from their northern partners on such a commitment for funding in the region.¹³¹

In contrast, the second group which is represented by the northern member states - Germany, Sweden and Denmark - showed more interest in the democratization program and were more vocal in their criticism of non-democratic countries in the MENA region¹³².

Southern states welcomed the Barcelona process and its democratic programs as "a means of constraining idealistic enthusiasm," as they envisioned it. In addition, Youngs confirmed that the northern members of the European Union care more about the stability of the region despite claiming that there was more scope for stronger approach.¹³³ Similarly, Jünemann believes that the members of Southern Europe are "tacit allies in the attempt to undermine the EU's external policy of democracy promotion".¹³⁷ It is pointed to this position as a necessity for cooperation with the regimes in the Middle East and North Africa in the fight against international terrorism, therefore, the demands for reducing political conditionality were gaining momentum.¹³⁴

¹²⁹ Pace, M. (2009).op.cit., p.42

¹³⁰ Youngs, R. (2002). op.cit.,p.60

¹³¹Ibid. p. 62.

¹³² Ibid.

¹³³Ibid. p.33.

¹³⁴Jünemann, A. (2003). Security-Building in the Mediterranean After September 11. Mediterranean Politics, 8(2&3)1-20.

In his analysis of the main member states' positions, France, Germany and Britain, towards issues of democracy and human rights, Behr found that French foreign policy towards issues of democracy and human rights in the Middle East and North Africa is a reflection of the French identity and interests.¹³⁵

He highlighted the significance of Islamic terrorist attacks on French soil and the desire to limit the influence of Islamic ideology on the French culture, where more than four million Muslims, mostly from North Africa, live in France. These factors prompted the French government to take a strong stand against Islamist groups and governments, and in turn condone human rights abuses by French allies in the Middle East; Thus, they "worked within the European Union to mitigate criticism of the Arab regimes."¹³⁶

The French attitude toward Islamic movements in the Middle East, especially Hezbollah in Lebanon and Hamas in Palestine, varied greatly. France not only opened dialogue with Hezbollah, but also rejected proposals from other member states to include it in the European Union's terrorist list. Regarding Palestine, France has resisted proposals from other European member states to include Hamas in the EU's list of terrorist organizations¹³⁷. However, the French position changed in 2003 under pressure from the Netherlands and Britain after a suicide attack by Hamas in retaliation for the assassination of its leader Ismail Abu Shanab.¹³⁸

Pace explains the French positions by saying that the French government agreed to "managed democracy" in the Middle East, when it fits¹³⁹. In addition, France opposed the immediate suspension of EU aid to the Palestinian Authority after Hamas' victory in

¹³⁵Behr, T. (2008). Enduring differences? France, Germany and Europe's Middle East Dilemma. *Journal of European Integration*, 30 (1) 79 - 96. p. 86.

¹³⁶Ibid. p. 86.

¹³⁷ Youngs, R. & Kausch, K. op.cit. ,p.172.

¹³⁸Lyons, K. (2009). *The EU: An International Agent in Palestine?* Palmerstone North, New Zealand: Massey University.

¹³⁹Pace, M. (2009). op. cit., p.42.

parliamentary elections in January 2006.¹⁴⁰ They also backed Russia in its decision to invite Hamas leaders to Moscow, stating that "this step can help push the peace process forward."¹⁴¹

Although the EU played a crucial role in helping Spain adopt a democratic system, Spain was not one of the most active players in promoting European democracy.¹⁴² In addition, the former Spanish government was reluctant to criticize non-democratic regimes in the Middle East and North Africa and has always directed "the EU's watered-down criticism of democratic violations in North Africa."¹⁴³ For example, Spain has continued to resist proposals from other EU member states to take Decisive steps in response to the Moroccan government's repeated repression against the press¹⁴⁴.

In addition, the former Spanish government, led by Zapatero, blocked the European Parliament's attempt to include a "strengthening democracy" clause in the new financial instrument that directs EU aid to neighbouring partner countries.¹⁴⁵ This position prompted the rest of the EU member states, particularly the Nordic countries, to criticize Spain for flattering the authoritarian Arab regimes.¹⁴⁶

According to Youngs, the most important of which is the Spanish fear that strengthening democracy and removing authoritarian regimes may be more harmful than beneficial for Europe, especially since the transition to democracy could create instability and violence in Spain's neighbouring countries which may pose risks its

¹⁴⁰ Young, R. & Kausch, K. op.cit., p.100.

¹⁴¹Lempkowitz, Y. (2006). France supports Russian invitation to Hamas. European Jewish Press.<https://ejpress.org/france-supports-russian-invitation-to-hamas-4/>. Access date: 15.12.2019.

¹⁴²Ibid. p.159.

¹⁴³ Ibid.p.175.

¹⁴⁴Youngs, R. (2006). op.cit

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

national security especially due to geographical proximity with North Africa and the Middle East¹⁴⁷.

Therefore, Spain, like the rest of the southern European member states, opposes the use of the conditional clause in its agreements¹⁴⁸. Regarding the Occupied Palestinian Territories, the Spanish government has opposed America's isolation of Arafat, under the premise that he is an elected president. Spain also opposed the inclusion of Hamas in the European Union's terrorist list¹⁴⁹.

In general, the Scandinavian member states of the European Union are the strongest advocates for the promotion of democracy and human rights within the European Union and around the world. According to Youngs, the promotion of Swedish democracy is not tied to geographic aspects and has not been as focused on its regional priorities as many other European donors. In addition, the Swedish do not hesitate to criticize or stop their aid to non-democratic countries in cases of the abuse of democratic rights increases. However, Sweden did not support any general use of the conditionality clauses, as it was deemed an inappropriate tool to push for reform¹⁵⁰.

Regarding the Middle East and North Africa, the Swedish government has been the main driver behind the spread of democracy in the European Union and human rights programs towards the region. For example, Sweden has always criticized the restrictions on press freedom in Morocco, and it has clashed with the latter along with Spain and

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Miller, R. (2007). Why the European Union Finally Sideline Hamas. <https://www.jewishpolicycenter.org/2007/08/31/why-the-european-union-finally-sidelined-hamas/>. Access date: 15.12.2019.

¹⁵⁰ Youngs, R. & Kausch, K. op. cit. p.206.

France over Western Sahara vigorously.¹⁵¹ Furthermore, Sweden has not been involved in providing assistance to security forces in the Middle East.

In regard to the Palestinian cause, Sweden provided support and aid as well as technical assistance in reform, education and human rights programs. The Swedes were also in favour of supporting Arafat against the efforts of the Americans and some members of the European Union to ostracize him¹⁵². It could be said that the Swedish policy maintained its relationship with Hamas officials and called on the European Union to recognize the Hamas government. In fact, Sweden granted a visa to a minister in a Hamas government¹⁵³.

According to Youngs, although Tony Blair's government had no interest in promoting democracy, neither in the 1996 Labour Party policy document or in the party's 1997 election manifesto, issues of human rights and democracy became important in British foreign policy after September 11, 2001.

The United Kingdom considered the Middle East a strategic area for strengthening democracy in the United Kingdom. The British government was particularly interested in reforming the Palestinian Authority, particularly with regard to security forces and institutional reform. For example, in 2003, the British government approved a €50 million aid package for the occupied Palestinian territories including a significant shift (15 per cent) of UK funds to the area of "institutional reform". In 2004, the Blair government pursued US policy toward Arafat, as they mounted the pressure on the Palestinian leader to hold new elections¹⁵⁴.

¹⁵¹Youngs, R. (2006). op.cit.

¹⁵² Ibid.p.202.

¹⁵³Miller, R. (2007). op.cit.

¹⁵⁴ Ibid.

Within the European Union, Germany is seen as a major supporter of democracy and human rights, whose commitments to these values best portrays the nation as a "civilian power"¹⁵⁵. Regarding the Middle East, Germany has a different attitude than France. According to Behr, it has demonstrated a willingness to engage in dialogue with Islamic movements and push for change in the Muslim world, as it engages with new regimes and forces, on the premise that such engagement could lead to moderation and a gradual transition to democracy.¹⁵⁶ However, Germany shares the same concerns as the rest of the EU members about the impact of instability in the Middle East as a result of the sudden change in Arab regimes.

Therefore, the German government adopts methods of communication with civil society, positive conditionality and public diplomacy¹⁵⁷. German policy toward the occupied Palestinian territories also differs when it comes to German-Israeli relations. Although the Germans are willing to enter into a dialogue with the Islamic movement in the Arab world, Germany refuses to deal with a government led by Hamas. In addition, Germany, along with Italy, the Netherlands, Poland, Hungary, the Czech Republic and Slovakia, voted against the report of the United Nations Fact-Finding Mission on the Gaza Conflict, led by Judge Richard Goldstone.¹⁵⁸

3.2.2. The Israeli Occupation:

The Israeli occupation can be considered among the external factors that the EU democracy and reform project must confront in Palestine. A number of observers believe that trying to build a viable and democratic Palestinian state is a difficult or

¹⁵⁵Behr, T. (2008). op.cit., p.87.

¹⁵⁶Ibid. p. 87.

¹⁵⁷Ibid. p. 87.

¹⁵⁸Amnesty (2009). UN vote on goldstone report a defining step for accountability, says amnesty international. New York Amnesty International

impossible task under the conditions of occupation. Al-Fattal states that even if the elections had produced a positive scenario, under occupation it would have become superfluous because the internal system that entails making binding decisions is subject to change at the whim of the occupying power.¹⁵⁹

The Israeli occupation has weakened the institutional capacity of the Palestinian Authority through daily attacks on Palestinian infrastructure and institutions, such as courts and ministerial legislatures and the arrest of more than half of its members - most of them Hamas -¹⁶⁰.

After the war on Gaza in December 2009, the UN fact-finding mission, headed by South African judge Richard Goldstone, accused both Israeli and Hamas forces in Gaza of "committing war crimes and possibly crimes against humanity and violations of international law."¹⁶¹ Paradoxically, Nasser believes that donors emboldened Israeli actions by absolving Israel of its obligations under international law as an occupying power, while at the same time using their aid to appease the Palestinians. This is why Israel held a fundraising campaign for the Palestinians by collecting taxes, but withheld its dues when the January elections changed the rules of the game.¹⁶² Youngs also found difficulties in adopting reform policies under the Israeli occupation, emphasizing that "there is a two-way relationship between the occupation and the reform one cannot not have a fully functioning, democratic Palestinian state until occupation is ended".¹⁶³

¹⁵⁹Al-Fattal, R. (2010). op. cit., p. 33

¹⁶⁰European Commission. (2008). Communication From The Commission To The European Parliament And The Council Implementation of the European Neighborhood Policy in 2008 Progress Report the Occupied Palestinian Territory, SEC (2008). Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52008SC0400>. p. 6. Access date: 16.12.2019.

¹⁶¹Amnesty (2009). op.cit.

¹⁶²Nasser, N. (2006, September 6th). Western Donors to Palestine: What Mission? Aid has turned into a tool which supports Israeli ambitions. Global Research. Retrieved from <http://www.globalresearch.ca/index.php?context=va&aid=3161>. Access date: 17.12.2019.

¹⁶³Union Committee, House of Lords. (2006). European Union Committee 26th Report of Session, the EU and the Middle East Peace Process. Volume I: Report. London: House of Lords.

Similarly, Brown contends that “reforming and building a democratic Palestinian necessitates an end to violence and Israeli occupation holds each other hostage”.¹⁶⁴

Brown also adds that reform in Palestine faces a difficult conundrum. On the one hand, real progress in reform seems impossible without some diminution of the conflict with Israel and relaxation of Israeli restrictions on travel within the West Bank and Gaza. On the other hand, such political changes seem unlikely unless robust Palestinian institutions—the kind the reformers have worked to build—can guide Palestinian society.¹⁶⁵

3.2.2.1. The EU’s Response on the Israeli Policy:

According to several observers, European policies towards Israel and the Israeli military operations in the occupied Palestinian territories contain many contradictions that can be understood within the framework of the Common European Foreign and Security Policy.

The EU never implements the conditionality of its association agreements with Israel, despite the latter’s violation of Palestinian human rights. Although it reaffirms its position in this regard, the EU turns a blind eye to Israeli atrocities and human rights violations, including separate road systems for settlers, checkpoints, curfews, the “separation wall,” settlements and Israel’s destruction of Palestinian infrastructure.

All of these are military actions that contradict the reform and development policy of the Euro-Mediterranean Partnership, in which Israel participated and of which it is a part. Indeed, EU institutions rarely (at least officially) describe “the occupation as a

¹⁶⁴Brown, N. (2002). *The Palestinian Reform Agenda* Peace Works No. 48. Washington DC: United States Institute of Peace. p.47

¹⁶⁵ Ibid.p.47.

violation of human rights and democracy."¹⁶⁶The EU and its member states have never allowed the European Commission to suspend the EU-Israel Association Agreement, impose any sanctions on Israel or use its trading partnership as a policy to force Israel to implement her pledges and its obligations.

In fact, member states have often shielded Israel from all EU proposals to punish Israel. Legally, its policies in this regard are supported by the EU pillar structure, which separates the economic and commercial decision in the first pillar from the political decision in the second pillar. Furthermore, if members of the European Union impose sanctions on Israel or imposes any kind of restrictions on its products, provoke the Israeli governments and their main ally - the United States. Contrasting examples among EU members and European institutions about boycotting products and exports produced in Israeli settlements in the West Bank.

The focus on human rights in the Middle East, especially in the occupied Palestinian territories and Israel, was reflected in the position of the European Parliament towards the implementation of association agreements with the Palestine Liberation Organization (on behalf of the EU) and with Israel, where The European Parliament has called for the suspension of the Euro-Mediterranean Partnership Agreement between the EU and Israel¹⁶⁷Because of violations of human rights and international law by the State of Israel.

While this example illustrates the importance the European Parliament attaches to human rights and democracy in the Middle East, it goes further in supporting the argument about the inconsistency within European institutions and policies.

¹⁶⁶Pace, M. (2008). Notions of 'Europe'. Where does Europe's Southern Periphery Lie? Paper given at the Annual Meeting of the International Studies Association. USA: Palgrave Macmillan. p.22.

¹⁶⁷ European Parliament resolution of 10 April 2002 on the Middle East (2002), OJ C 127E/584.

It can be demonstrated that while the European Parliament supports the values and principles of human rights and democracy, the European Commission and the Council of Europe support the strategic interests of the European Union in the Middle East, including issues of security and stability.

However, the European Council refused to accept the democratic mandate and did not respond to the call of the European Parliament even though the EU has the right to do so, according to Article 2 of the agreement, which states that relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles¹⁶⁸

The different attitudes towards the report of the United Nations Fact-Finding Mission on the Conflict in Gaza (Goldstone Report) between EU Member States and the European Parliament is another example of the contradiction in European policy towards Palestine. However, some EU members supported the Goldstone Report, others opposed it while the European Parliament supported it and accused Israel of war crimes during its military operation against Hamas in January 2009.

Javier Solana, former High Representative for the Common Foreign and Security Policy stated after the vote at the United Nations that the EU is also missing a unique opportunity to increase its credibility and niche to contribute to the solution of the conflict.¹⁶⁹

¹⁶⁸European Commission. (1995). EU-Israel association agreement. Official Journal of the European Community's Euro-Mediterranean Agreement.

¹⁶⁹Aslan, O. (2009). The EU's Position on the Palestinian-Israeli Conflict: Still Foreign Policy Without Tears and Divided? Journal of Turkish Weekly (JTW).

3.2.3. The Performance of the Palestinian Authority

Despite the Israeli occupation and military and security restrictions, Palestinian society has not lacked democracy. Indeed, under occupation and prior to the establishment of the Palestinian Authority in 1994, Palestinians faced the essential elements of democratic practice. For example, during the 1980s, there were elections for trade unions and students, and there were civic, social, political, professional, and grass-roots institutions and NGOs that served the population in sectors such as health, education and social welfare¹⁷⁰.

A survey conducted prior to the implementation of the Oslo Accords showed that Palestinians strongly support the basic elements of democracy. The survey shows that “77% of the population supported general elections, and 66% supported freedom of the press¹⁷¹.

However, the Palestinian leadership that returned to the Palestinian territories in 1994 adopted "authoritarian forms of authority based on traditional and patrimonial power structures at the expense of democratic reforms."¹⁷² In a research paper Entitled "Construction, Institutions and Democracy: The Palestinian Experience", Jamal portrays a bleak picture of the performance of the Palestinian Authority, arguing that the short Palestinian experience of building a state and government shows that Palestinians are following the experience of most postcolonial states where a dominant party ruled the state for a long period and as a result blocked the way for a real change of power.¹⁷³

¹⁷⁰Shikaki, K. (1996). The Peace Process, National Reconstruction, and the Transition to Democracy in Palestine *Journal of Palestinian Studies*. 25 (2) .5-20.

¹⁷¹ Ibid.p.5.

¹⁷²Jamal, A. (2001). State-Building, Institutionalization and Democracy: The Palestinian Experience, *Mediterranean Politics*, 6 (3) 1-3. p.2

¹⁷³ Ibid.p.2.

His description of the main characteristics of the Palestinian Authority since its inception in the mid-1990s includes "violations of basic human rights, corruption, nepotism, economic monopolies, and a lack of accountability."¹⁷⁴ Jamal illustrates with examples the nature of the political culture of the Palestinian Authority between 1994 and 2003, arguing that in addition to Arafat's attempts to control NGOs by transferring the authority for registering NGOs from the Ministry of Justice to the Ministry of the Interior, which is controlled by the president himself.¹⁷⁵

He added that the Palestinian Authority suffers from a lack of clear judicial regulations regarding the legislative body's oversight of the government budget. In addition, the PLO elite have returned to its homeland with a political culture that is far from embodying basic values of representative government such as accountability and transparency.¹⁷⁶

The structures of Arafat's new regime or his method of governance have drawn heavy criticism. Many accused him of using the government as a device to co-opt dissidents, and turn it into an appeasement mechanism. Rubin claims that there are four factors combined to influence the relative democratic failure of the Palestinians. First: the type of elite formation; second, the poor exposure of the elite to democratic values; Third, strong diaspora, and finally a wrong approach to coercive means¹⁷⁷.

Rubin explains in his description of the nature and influence of the dominant Palestinian leadership and elites claiming that Arafat used his presidential powers to ratify any new legislation, blocking legislation that threatened his position or curtailed the powers of

¹⁷⁴ Ibid.p.2.

¹⁷⁵Ibid. p.9.

¹⁷⁶ Ibid.p.12.

¹⁷⁷Rubin, R. (2006). What went wrong? Transitions to democracy in the Palestinian Authority. *Peace, Conflict & Development* (9). p.5.

the Palestinian Authority. However, he weakened the other authorities of the Palestinian system, namely the legal and judicial branches.¹⁷⁸

Asseburg argues that although the Palestinian Authority has all the elements of a state, such as ministries, security forces, the judiciary, and the Legislative Council, the Palestinian political system is characterized by the prevalence of informal institutional arrangements and clientelism, by authoritarian government practices and human rights abuses, and by an inflated and inefficient public sector responsible for the misuse of funds.¹⁷⁹

Asseburg concludes that legitimate, viable, effective and democratic institutions have not been established in the Palestinian territories. Azmi Al-Shuaibi was from Palestinian elite where he worked First as Minister of Sports and Youth in the Palestinian Authority between 1994 and 1998. At the same time, he was the head of the Budget Committee of the Palestinian Legislative Council, but due to his opposition to Yasser Arafat's hegemonic policies he was later dismissed by Arafat. This is because the latter was acting on the basis of I am the state and the state is I.

This situation was accepted without the slightest protest. Of course, the tendency to accept was undoubtedly rooted in the institutions of the PLO and was simply imported into the areas where the Palestinian Authority is located," said Shuaibi.¹⁸⁰

Hooper argues that the revenues from the economic monopolies controlled by high-ranking PA officials do not even appear in the budget since they do not reach the Treasury. These officials have monopolies over central sectors of the Palestinian

¹⁷⁸Ibid. p.6.

¹⁷⁹Asseburg, M. (2003b). The EU and the Middle East Conflict: Tacking the Main Obstacle to Euro-Mediterranean Partnership. *Mediterranean Politics*, 8 (2&3) 174-193. p.178.

¹⁸⁰Shu'aybi, A. and Shikaki, K. (2000) A Window on the Workings of the PA: An Inside View. *Journal of Palestinian Studies*, 30 (1) 88-97.p.88.

economy, such as petroleum, gravel, flour, sugar, and so on. Monopoles operate in a gray area and their revenues are managed confidentially.¹⁸¹

Hooper notes that this pattern enables PA officials to avoid public scrutiny and legal regulation and the formation of an easy way to finance the activities of the Palestinian Authority, which would be highly criticized if it was subjected to internal public scrutiny or external supervision by donor countries.

An opinion poll conducted by the Coalition for Integrity and Accountability (Aman) on the reality of corruption and combating it in Palestine for the year 2020 showed (AMAN) that "67% of the Palestinians believe that corruption exists in the institutions of the Palestinian Authority and 66% of them believe that it will increase or remain as it is in the future."¹⁸²In 2003, Transparency International's Corruption Perceptions Index included the Palestinian Authority for the first time with a rank of 78 out of 133.

Opinion polls indicated a general perception of a lack of public trust in Palestinian public institutions.¹⁸³ In addition, although the Palestinian Basic Law prohibits torture, force against detainees, and unlawful arrests, there have been numerous reports of cases of torture and ill-treatment in Palestinian Authority detention centres, specifically those run by security services.

According to human rights organizations, security services arbitrarily detain people and use excessive force. The report issued by Human Rights Watch on the exercise of the

¹⁸¹ Hooper, R. (1999). *The International Politics of Assistance to Palestinians in the West Bank and Gaza Strip, 1993–1997*. In Roy, S. (Ed.) *The Economics of Middle East Peace: A Reassessment*. Stanford, CA: JAI Press. p. 206.

¹⁸² AMAN. *Annual Opinion Poll on the Reality & Anti-Corruption Efforts in Palestine 2020*

¹⁸³ European Commission. (2004), *op. cit.* p. 9

Palestinian Authority in the West Bank and Hamas in the Gaza Strip asserts that torture is governmental policy for both the PA and Hamas.”¹⁸⁴

3.2.3.1. The Situation After Arafat:

The Palestinians were able to improve the performance of the PA through the implementation of the Palestinian Reform and Development Plan (PRDP) for 2008, which focused on unite The Planning and Budgets and Security Sector Reform¹⁸⁵. However, the PA’s human rights and democracy records remain well below the European Union's preferred standards. According to the 2008 European Neighbourhood Policy Progress Report for the Occupied Palestinian Territory, PA forces in the West Bank were able to crack down on criminals and members of armed groups, as well as opposition members, with reports of violations of fundamental rights in the process, especially in PA detention facilities.¹⁸⁶ In addition, the European report points out that the freedom of press was “curtailed and 32 were arrested by the PA without due process; none of them were brought to court.”¹⁸⁷

The 2008 Palestinian Centre for Human Rights report also criticized the PA government for its use of the military court system - which is illegal because it violates the Basic Law and the Code of Criminal Procedure¹⁸⁸. In addition, the centre confirmed that it has

¹⁸⁴ Human Rights Watch: Two Authorities, One Way, Zero Dissent, Arbitrary Arrest and Torture Under the Palestinian Authority and Hamas 2018, <https://www.hrw.org/report/2018/10/23/two-authorities-one-way-zero-dissent/arbitrary-arrest-and-torture-under>, access date: 16.10.2019.

¹⁸⁵ European Commission. (2009). Communication from The Commission to The European Parliament and The Council Implementation of the European Neighborhood Policy in 2009 Progress Report on the Occupied Palestinian Territory. 519(2) Retrieved from http://ec.europa.eu/world/enp/pdf/progress2008/com08_164_en.pdf. p. 2. Access date: 17.10.2019

¹⁸⁶ Ibid.p.5.

¹⁸⁷ Ibid.

¹⁸⁸ The Palestinian Center for Human Rights May, the Annual Report For 2007. Available at: http://www.pchrgaza.org/files/Reports/English/pdf_annual/Summary-Eng.pdf f. Access date 18.12.2019.

received affidavits from Palestinians who were subjected to beating, torture and inhuman and degrading treatment by the Palestinian police.¹⁸⁹

A survey conducted at the Palestinian Research Centre in 2007 shows that 51% of the Palestinians in the West Bank and Gaza evaluate the performance of the Executive Force as negative, increasing the level of anarchy and lawlessness, while only 29% see it as positive, contributing to the enforcement of law and order.¹⁹⁰

It appears that the Democracy Scale Index, which was established by the Palestinian Centre for Policy and Survey Research, shows that in 2016, the state of Palestinian democracy improved compared to the previous reading in 2012. This improvement can be seen as a deterioration if compared to the readings in 1996 and 1997. It scored 563 score in 1996 and 514 scores in 1997. In 2016, the index saw a marginal increase of 539 scores compared to 511 scores in 2012.

The index shows an improvement in equality and social justice; However, the Palestinian Democracy Index indicates low performance and the role of public institutions and freedom of the press and expression in civil and political liberties. A public opinion poll conducted by Aman shows about the Reality of Corruption and Anti-Corruption Efforts in Palestine in 2020.¹⁹¹

3.2.3.2. How the European Union Dealt with the Palestinian Authority:

The question is why the European Union continues to support the Palestinian leadership from the days of Arafat and even the current leadership of the Palestinian Authority led by Abu Mazen, although the Palestinian Authority clearly shows a lack of interest in local democratic reforms. The answer to this question is related to the flaws in the

¹⁸⁹ Ibid.

¹⁹⁰ Palestinian Center for Policy and Survey Research. (2007), op.cit.

¹⁹¹ AMAN (2020) op. cit.

Common Foreign and Security Policy mechanism and the power imbalance between Member States and EU institutions, and between EU institutions themselves.

3.2.3.3. Contradiction in the Interests Among the Members of the EU:

Since the main geostrategic interests of the member states of the Middle East and the occupied Palestinian territories require maintaining stability by supporting the peace process, member states are not interested in supporting democracy and reform policy if this is at the expense of security stability and the peace process.

In other words, Member States are willing to contradict their statements calling for promoting democracy and human rights in Palestine if this policy leads to instability. Second, member states are not interested in changing the status quo represented by Strong Palestinian leadership considered by the European Union as the main partner for peace With Israel.

Finally, concerns that Hamas will benefit from the democratization process has prompted member states to support the current leadership of the Palestine Liberation Organization and its policy against Hamas.

By benefiting Member States from their authority over the European Commission, member states have not allowed European institutions such as the European Commission and the European Parliament to impose any kind of serious sanctions or restrictions on the leadership of the PLO despite its authoritarian inclination, its violations of human rights.

This may explain why the EU's financial aid to the Palestinians was not conditioned during the period 1994-1998 with the development of democratic institutions or financial transparency. This also explains why the EU refused to deal with the Hamas

government after the 2006 elections when it won a large majority of seats in the Palestinian Legislative Council. In fact, one month before the elections, Solana threatened to freeze European aid to the Palestinian Authority if Hamas won the election and fail in renouncing violence¹⁹².

Solana told reporters at the time that it's very difficult that parties who do not condemn violence...can be partners for the future.¹⁹³ He wondered whether the encouraging language of the Barcelona Declaration and the European Neighbourhood Policy reflected the reality of the situation on the ground or rather provided what was a camouflage for autocratic regimes.

He added that even the task of European financial assistance is strengthening the rent-seeking attitude of a non-democratic government at the expense of domestic reform efforts.¹⁹⁴

Stetter Takes financial assistance to the education sector in the Occupied Palestinian Territories as an example to support his argument that this aid aims to cover recurrent costs, and can therefore be characterized as hidden budgetary support which stabilizes a key sector of Palestinian society.¹⁹⁵

Asseburg said that the EU's main concern in the Occupied Palestinian Territories is stability and peace, not democracy and human rights, both of which can be implemented after peace is achieved. In other words, peace must come first and democracy second. Thus, the main strategy of the European Union was to support Yasser Arafat because he

¹⁹²Solana, J. (18.12.2005). EU threatens to block aid to PA if Hamas wins election. The Hub of Middle East, Al Bawaba. Retrieved from <https://www.albawaba.com/news/eu-threatens-block-aid-pa-if-hamas-wins-election>. Access date: 19.12.2019

¹⁹³ Ibid.

¹⁹⁴Stetter, S. (2003), op. cit., p. 170.

¹⁹⁵ Ibid.p.163.

agreed to enter into negotiations with Israel and "efficiently crushed the opposition to the peace process."¹⁹⁶

However, after the collapse of the Camp David peace negotiations between Palestinians and Israelis under American supervision, and after the outbreak of the second intifada, the political attitude of the international community towards Arafat's leadership changed. However, there was a number of countries in the European Union such as France and Spain who they were wished to work around President Arafat¹⁹⁷. Others such as the United States, Germany and the United Kingdom have lost confidence in Arafat as a peace partner¹⁹⁸ and no longer considered him as the main of reform¹⁹⁹

As a result of the international community's attitude towards Arafat, many observers believed that democracy programs and human rights European reform after Camp David she was Aims to bypass Arafat or diminish his centrality.²⁰⁰

Brown believes that international actors supported Programs fix and democracy when it was seen as a tool to weaken Arafat and transfer power away from those parts of the Fatah leadership seen as uncompromising and corrupt.²⁰¹

The international community, especially the United States, pressured Arafat to amend the Palestinian Basic Law, create the position of prime minister, and select a prime minister who would begin work on reforming Palestinian institutions.²⁰².

Under international pressure and after the United States refused to release the roadmap agreed Arafat Ali Appointment of prime minister, Arafat eventually agreed to Transfer

¹⁹⁶ Asseburg, B. (2003), op. cit., p. 171.

¹⁹⁷Brown, N. (2007). Requiem for Palestinian Reform. Clear Lessons from a Troubled Record. Carnegie Endowment for International Peace, Carnegie Paper No. 81. p.77.

¹⁹⁸Al-Fattal, R. (2010), op. cit., p. 33.

¹⁹⁹Brown, N, op. cit., p. 66.

²⁰⁰ Ibid.

²⁰¹Ibid. p. 66.

²⁰²Al-Fattal, R. (2010), op. cit., p. 33.

some of his power and his powers, especially the security forces, to the control and authority of the new Prime Minister Abu Mazen²⁰³.

Many critics argue that despite the goodwill of the European Union and its member states, their strategy for reform and democracy was subordinated to short-term goals. The first goal is to strengthen the current Palestinian leadership and make use of reform programs in order to give the Palestinian Authority legitimacy and recognition. Also, it aims to strengthen its grip on society through policy and security agencies in order to implement the requirements and needs of the peace process and ensure that financial aid is used efficiently and not to fund terrorist activities or violence, especially with allegations of corruption in the Palestinian Authority.

Asseburg blames the EU on the lack of sovereignty Law and democratic decision-making processes in the Palestinian territories as well as human rights violations of the Palestinian Authority since it has been directly involved in the process of building these governing institutions through technical and financial support as well as budget support to the PA.²⁰⁴

He also points out that the EU has insisted again and again on the financial transparency of the PA and accountability with regard to the use of EU aid, but it has done so much less vigorously with regard to a democratic decision-making process, local elections or the rule of law.²⁰⁵

Still, Brown argues that international reformers including the European Union had a remarkably short-term focus, a highly personalized view of the process, and a very

²⁰³Ibid. p. 33.

²⁰⁴Asseburg, M. (2003), *op. cit.*, p. 178.

²⁰⁵Ibid. p. 179.

instrumental view of reform, leading them to turn harshly against the achievements of the Palestinian reform movement when it brought unexpected results.²⁰⁶

He also added that he when conflict reforming Palestinian institutions with other short-term goals (such as supporting specific leaders or parties), Institutional reform considered less important²⁰⁷.

As pointed out by, Youngs, Behr, Gillespie and Pace, the European Union and member states failed to enter into a conversation purposeful with Islamists in the Mediterranean region including Palestine, although these movements constitute the majority of the democratic opposition in the region²⁰⁸. Pace considered that the exclusion of Islamic NGOs from the European funds in the MEDA program and restriction submit the support on the secular and liberal groups of NGOs is another paradox and contradiction with the European concept of civil society²⁰⁹. Also, European funds to promote democracy and reform through MEDA means were distributed to the groups which do not deal with 'sensitive' issues which might jeopardize the EU relations with the countries' regimes.²¹⁰

The European decision not to freeze the Association Agreement with the Palestinian Authority as a result of human rights violations, or undemocratic principles according to the Barcelona Process and the European Neighbourhood Policy, may be indicative of the contradiction in promoting European democracy in Palestine.

²⁰⁶Brown, N. op. cit., p. 75.

²⁰⁷Ibid. p. 75.

²⁰⁸Behr, T. (2008), op. cit., p. 81.

²⁰⁹Pace, M. (2009), op. cit.,

²¹⁰Ibid. p.43.

3.2.3.4. How the EU Dealt with Hamas's Win in the Palestinian Parliamentary

Elections:

In the last Palestinian parliamentary elections, which were held on January 25, 2006, the Islamic resistance movement, Hamas, emerged as the largest party on the Palestinian political scene. The European Union insisted that these elections are supported, financed and supervised. The result was contrary to prevailing expectations and was a major change in the Palestinian landscape that had hitherto been dominated by the secular nationalist Fatah faction of the Palestine Liberation Organization. Hamas won 74 seats in the 132-seat Legislative Council.

After the victory of the "change and reform list", it was completed by appointing Ismail Haniyeh as the head the government formed by Hamas and he was sworn in on March 18th, 2007 as the new prime minister.

The government consisted of members of Hamas, Fatah, members of other parties, and independents. The international community, including the European Union, has refused to deal with or recognize a government led by Hamas or any national unity government in which Hamas has participated, unless the movement accepts the conditions of the Middle East Quartet. Its terms were renouncing violence, recognizing the State of Israel, respecting previous agreements and commitments in the peace process.

The Council of Public Relations and Foreign Relations of the European Union approved in a statement the Quartet terms and confirmed the support of the council of President Abbas to seek a peaceful solution to the conflict with Israel.²¹¹

Furthermore, the General Affairs and External Relations Council stressed that violence and terror are incompatible with democratic processes urging Hamas to renounce

²¹¹General Affairs and External Relations Council Conclusions. (2006, January 30-31) Retrieved from: <https://www.un.org/unispal/document/auto-insert-201157/>. Access date: 21.12.2019

Israel's right to exist and to disarm.²¹² Finally, the Council committed itself to a peaceful, negotiated solution to the conflict with Israel based on existing agreements and the Road Map as well as on the rule of law, reform and sound financial management.²¹³

As a result of Hamas' rejection of the Quartet's terms, the European Union froze its direct aid to the Palestinian Authority. According to Gianniou, this was the first time the EU had made use of its economic instrument as a way not only to enforce political reform but also to change the diplomatic and political perception of the conflict by one interested party.²¹⁴

In addition, the European Union has established a new financing mechanism called the Temporary International Mechanism. (TIM) Which aims to bypass the Hamas government and avoid a humanitarian crisis in Palestine. The European reaction to the Hamas government supports this chapter's argument that the EU's main interest in the occupied Palestinian territories is stability through the Middle East peace process. In other words, the EU will not accept or recognize any Palestinian leadership that does not accept the European vision of a peaceful settlement.

The EU's response to the new Hamas-led government posed a crucial question as to what kind of democracy the EU is promoting. In addition, the European attitude towards the new government showed the tension between the policies of European institutions.

²¹² Ibid.

²¹³ Ibid.

²¹⁴ Gianniou, M. (2006). The European Union's involvement in the Israeli-Palestinian conflict: an active paradigm of European foreign policy?. In The European Consortium for Political Research 3rd Pan-European Conference on EU Politics, Istanbul: Bilgi University. p.19.

The EU's Counter-Terrorism Strategy confirmed that it is needed empower moderate voices by engaging with Muslim organizations and faith groups that reject the distorted version of Islam put forward by al-Qa'ida and others.²¹⁵

At the same time, the European Council rejected the Hamas-led government and refused to deal with Hamas' members in the Palestinian national unity government Palestinian National Unity Government (PNUG) although the Council initially welcomed the formation of a Palestinian national unity government²¹⁶.

This policy contradicted the policy of the European Commission, which established a task force on political Islam within the Directorate-General for External Relations (RELEX). It aims to formulate a discussion paper outlining a set of common principles and conditions that could serve as the basis for a more inclusive European approach to political Islam. However, the resulting document was supported within the Commission. Still, the initiative was suspended because the Council refused to endorse this new strategy²¹⁷.

The European Council's decision to reject the government led by Hamas and its members in the National Union government contradicts the policy of the European Parliament. For example, on May 10, 2007, the European Parliament passed a resolution on reforms in the Arab world: What strategy should the European Union adopt? The European Parliament called Europe to give visible political support to those

²¹⁵ European Council (2005) The European Union Strategy for Combating Radicalisation and Recruitment to Terrorism, 14781/1/05 REV 1, Retrieved from: <https://www.ms.gov.pl/resource/466d2bf9-c927-402d-9310-f0a25eb21d61>. Access date: 21.12.2019

²¹⁶Parliamentary Assembly. (2010, January 11) The Situation in the Middle East. Parliamentary Assembly, Political Affairs Committee, Retrieved from:https://reliefweb.int/sites/reliefweb.int/files/resources/C8741488A16583C4492576B90009B0D5-Full_Report.pdf. p. 03 Access date: March 22, 2020.

²¹⁷Kausch, K. (2009). Europe's Engagement with Moderate Islamists. In Emerson, M. Kausch, K. and Youngs, R. (Eds.) *Islamist Radicalisation: The Challenge for Euro-Mediterranean Relations*, Madrid: Fride. p.138

political organizations which promote democracy by non-violent means including, secular actors and moderate Islamists.²¹⁸

Therefore, the European Parliament demanded that the Government of National Unity be recognized without discrimination among its members²¹⁹.

Considered Hyde-Price EU policies and even rhetoric regarding the region is a reflection of it being often a pragmatic rather than normative construct²²⁰. In the same context, it was confirmed Al-Fattal that the European Union's decision to boycott Hamas has set back the reform and democracy process²²¹. Al-Fattal argues that the European justifications that the EU cannot legally deal with the Hamas government because it is on its list of terrorist organizations, unless the latter renounces violence. In other words, they are unacceptable because the European Union refused to blacklist Hezbollah despite its similarity to Hamas from the point of view of military doctrine²²².

In the point of view of the EU, the current ideology of Hamas is an obstacle to a peaceful solution to the conflict in the Middle East. In addition, the ideology of Hamas conflict with contemporary western values and principles. Therefore, there may be Theoretically justified federation European isolated movement agitation despite the tangible fact that EU Be sure to Hamas got legitimate authority through a democratic process. Therefore, the union put Hamas on its own list as a terrorist organization in the

²¹⁸European Parliament. (2007). European Parliament resolution of 10 May 2007 on reforms in the Arab world: what strategy should the European Union adopt? Retrieved from <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2007-0179+0+DOC+XML+V0//EN>. Access date: June 22.12.2019.

²¹⁹ Ibid.

²²⁰Hyde-Price, A. (2006). "Normative Power Europe: A Realist Critique", *Journal of European Public Policy*, 13 (2006). Cited in Al-Fattal, R. (2010). *The Foreign Policy of the EU in the Palestinian Territory CEPS Working Document 328/May 2010*. p. 66.

²²¹Al-Fattal, R. (2010), op. cit., p. 66.

²²²Ibid. p. 65

wake of the attacks of September 11, 2001 and the subsequent launch of the “Global War on Terror”.²²³

The insistence of the EU to return the security authorities to the presidential office after the victory of Hamas in the elections and the appointment of Ismail Haniyeh as prime minister is a clear example on the contradiction in the EU policy of reform. The international community, including the EU, put pressure on Arafat to decide The Constitution and the amendment of the Basic Law to create Prime Minister position.

In addition, the international community pressured Arafat to move part of his powers, especially with regard to public order and security, to the new prime minister as part of a reform policy and as a result of the refusal of the United States and Israel to treat Arafat as a partner in any peace negotiations²²⁴. However, after Hamas won the 2006 elections, the international community and the EU encouraged the Palestinian president, Abu Mazen, to bring the security forces under his control.

This policy, according to Youngs, makes the European approach to security reform seem short-lived²²⁵. In other words, the European strategy of the European Union considers that reform strengthens Fatah against Hamas²²⁶.

Tocci thought that the EU's reform policy in the Occupied Palestinian Territories with its transatlantic interests and its relationship with the United States is not trying to contradict US policy in the Middle East and the occupied Palestinian territories.²²⁷ The

²²³ EU court takes Hamas off terrorist organizations list, <https://www.bbc.com/news/world-middle-east-30511569>, access date: 02.01.2021

²²⁴Borger, J. (25.06.2002). Bush says Arafat must go. The Guardian. Retrieved from <https://www.theguardian.com/world/2002/jun/25/usa.israel>. Access date: 24.12.2019.

²²⁵Youngs, R. (2007). The European Union and Palestine: A New Engagement. Open Democracy. https://www.opendemocracy.net/en/union_engagement_4485jsp/. Access date: 24.12.2019.

²²⁶Youngs, R. (2006a). Europe and the Middle East in the Shadow of September 11. London: Lynne Rienner Publishers. p. 158.

²²⁷Nathalie Tocci, Hakim Darbouche, Michael Emerson, Sandra Fernandes, Ruth Hanau-Santini, Gergana Noutcheva and Clara Portela, 2008. The European Union as a Normative Foreign Policy Actor. CEPS

UN's policy towards the Middle East was not drawn to Brussels, but to Tel Aviv and Washington.²²⁸

Independent Task Force on Strengthening Palestinian Public Institutions was supported by the UN, however, the international community's decision to disengage from the new Palestinian Authority government will risk destroying all that has been built during the last decade.²²⁹

The report continued to criticize international donors, including the EU, which created the mechanism to avoid dealing with the PA government. Back then, the transfer of donor funds was from the PA Ministry of Finance to the office of the president or to international agencies may eventually leading to the weakening and marginalization of the ministry as well as empowering the office of the president.

The report also confirmed that when looking at the attempts which aim to strengthening the president's role in other areas; the international community is anticipating the Palestinians' transition to democracy, rather than promoting political reform.

According to the authors of this report, reform goal is no longer strengthening public institutions and their accountability to an elected legislature²³⁰.

Al-Fattal is convinced that not recognizing the Hamas government, the EU has acted in a way that contradicts what the EU calls for the principles of spreading democracy²³¹.

Working Document No. 281/January 2008. p.18. retrieved from:<http://aei.pitt.edu/7582/1/Wd281.pdf>.
Access date: 24.12.2019

²²⁸Patten, C. (2009). Writing checks for Gaza is easy. Politics is the tricky bit: it is time to question Europe's historic role of financing the failure of policies laid down in Israel and the US. The Guardian<https://www.theguardian.com/commentisfree/2009/jan/27/gaza-israel-hamas-eu-us>. Access date: 24.12.2019

²²⁹Siegman, H., Sayigh, Y., and Shikhaki, K. (2006). Reforming the Palestinian Authority, concluding report. A Report by the Independent Task Force for the Strengthening of Palestinian Public Institutions.: A publication of the US/Middle East Project.
p.23.https://www.usmep.us/media/filer_public/71/31/71317a98-cf12-432a-97b5-7d35e05123b6/reforming_the_palestinian_authority_concluding_report_2006.pdf. Access date: 24.12.2019.

²³⁰Ibid. p. 23

²³¹Al-Fattal, R. (2010), op. cit., p. 2.

Youngs also looks to that the damage of European boycott of Hamas exceeded the benefits.

To begin with, boycotting Hamas and the government of national unity is pushing Hamas into the arms of Iran because Hamas feels excluded from being the real pillar in power despite winning the elections. Secondly, the European decision is considered as a retreat from Palestinian institutional reform, an area in which European governments and the European Commission are beginning to establish a beneficial and leadership role²³².

Youngs questions the three conditions imposed by the international community on the Hamas government and the democratic process of reform in Palestine. He noted that the three conditions imposed on Hamas Renouncing violence, recognizing Israel and adhering to the agreements signed with Israel, does not include anything relating to standards of democratic governance or Rights civilians within the occupied territories themselves²³³.

In addition, Youngs criticizes the EU for neglecting the undemocratic measures taken by President Abbas after the victory of Hamas in 2006, Abbas regained control of the security services by repealing his decree from the previous year that placed the Preventive Security Service, Police, and Civil Defence under the leadership of the Ministry of Interior.

This tolerance, according to Youngs, raises questions about the relationship between demands for political reforms from the Palestinian Authority and the peace process. It confirms that European support for the transfer of power and security from the elected

²³²Youngs, R. (2007), op. cit.,

²³³ Ibid.

prime minister to the presidential office as if the EU had started focusing on bringing security forces under the control of the prime minister's office."²³⁴

Youngs also criticizes refinanced the Fatah-controlled office of President Abbas, stressing that the EU made the same mistake when European leaders supported Fatah leaders. This is because the government recognized Israel and agreed to enter into negotiations with the Israeli governments. Despite that, the PA and Fatah leaders do not have a transparent financial system or financial accountability.

Youngs criticize civilian missions in the occupied Palestinian territories (EUPOL COPPS)) and the European Union Border Assistance Mission (EU BAM Rafah) where Young Highlighting some weaknesses of EU policy in this area.

Most of the aid was confirmed to go to providing equipment such as riot gear, rather than directing it toward more basic repair issues. In the Palestinian territories, there was a perception that the EU was helping on the attempt to crush Hamas more than giving it a legitimate interest in providing security²³⁵.

According to many observers, the suspension of the two civilian missions in the occupied Palestinian territories and the European Union Border Assistance Mission, means that the EU has moved from adopting a long-term, gradual reform plan to reform the security sector, to adopting the US-Israel short-term plan to restructure the security sector.²³⁶

²³⁴ Ibid.

²³⁵European Union Committee, House of Lords. 26th Report of Session 2006–07. European Union Committee 26th Report of Session, the EU and the Middle East Peace Process. Volume I: Report. London: House of Lords.p.48.<https://publications.parliament.uk/pa/ld200607/ldselect/lducom/132/132i.pdf>. Access date: 24.12.2019.

²³⁶Collantes, G. Lecha, A. Reigeluth, S. Aytar, V. & Arican, M. (2008). Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences. Euro Mescos Paper (66). p. 16.<https://www.euromesco.net/wp-content/uploads/2017/10/200801-EuroMeSCo-Paper-1.66.pdf>. Access date: 24.12.2019

Chapter Four:

The European Efforts to Spread Democracy and Human Rights from the Palestinian Point of View

4.1. Introduction:

This chapter sheds light on European efforts to support democracy and human rights in Palestine, from the perspective of Palestinians as recipient of these policies since their inception in the beginning 1990s.

In this chapter, the researcher relied on interviews as a basic research tool, where the researcher conducted 14 interviews with political figures, civil society organizations and personalities related to the human rights issue in Palestine to obtain an informed reflection on the role of the European Union in spreading democracy and human rights.

Therefore, this research depends primarily on field work in an attempt to add new information to the research topic, after analysing European policies towards spreading democracy and human rights in Palestine in the second and third chapters, this chapter comes to add a new dimension to the study by showcasing the Palestinian public opinion in regards to the matter.

The researcher adopted the Clerk and Brown approach, which consists of 6 stages in analysing the interviews. The interviews were conducted in a semi-structured manner and on the basis of snowball sampling. Furthermore, the researcher gave the respondents the opportunity to express their opinions and thoughts towards policies the European Union explicitly without direct intervention.

This chapter shows the results after completing the thematic analysis of the interviews. Additionally, quoted statements from research participants were added to provide narrative accounts and clarify the topics and sub-topics that emerged from this study.

4.2. Data Analysis:

Qualitative research has been employed that the interviews were analysed based on Braun and Clarke thematic analysis ²³⁷ Furthermore, Smith and Firth define thematic analysis as the process of interpreting data thematically through identifying patterns and sub-patterns. ²³⁸

The researcher has adopted Clerk and Brown's approach consisting of 6 stages in analysing the interviews according to the following table:

Braun and Clarke's (2006) six phases of thematic analysis

Phases	Description of the process
1. Data Familiarization:	Transcribing, reading and re-reading the data, noting down initial ideas
2. Codes generation	Coding main features of the data in a systematic manner across the entire data set, collating data relevant to each code.
3. Themes search	Collecting potential codes and gathering all data relevant to each potential theme.
4. Themes review	Checking in the themes work in relation to the coded extracts (Level 1) and the entire data set (Level 2), generating a thematic „map“ of the analysis.
5. Themes definition	Ongoing analysis to refine the specifics of each theme, and the overall story the analysis tells; generating clear definitions and names for each theme.
6. Producing the report	The final opportunity for analysis. Selection of vivid, compelling extract examples, final analysis of selected extracts, relating back of the analysis to the research question and literature, producing a scholarly report of the analysis.

²³⁷ Braun, V. and Clarke, V. (2006) 'Using thematic analysis in psychology'. *Qualitative Research in Psychology*, 3(2): pp. 77-101.

²³⁸ Smith, J. and Firth, J. (2011) 'Qualitative data analysis: application of the framework approach'. *Nurse Researcher*, 18(2): pp. 52-62.

Based on the Clerk and Brown model, the researcher began by transcribing Interviews and reading data thoroughly, followed by coding, generating and reviewing themes, then providing definitions, naming the themes, and finally write up analysis of the data.

1. Findings

Codes were generated first by taking notes on a printed transcript and then using a table in a Microsoft Word document.

The next section outlines the findings per coding stage.

1. Data Familiarisation

Based on Braun and Clarke's (2006) first phase of thematic analysis, the familiarisation with data was internalised through transcription. The audio recordings of the interviews of 14 respondents were listened to several times for their accurate transcription, and I started taking notes.

2. Generating Initial Codes

In this stage, the production of initial codes for my data was done manually by highlighting phrases indicating the main themes in the scripts of the interviews.

3. Searching for Themes

This stage focused on sorting the different codes into sub themes. At this point, a long list of different codes was made and organized in a table.

4. Reviewing Potential Themes

The extracted themes were collected with the sub-themes' refinement of my themes, that some themes collapsed into other themes whereas some of themes needed to be broken down into smaller components.

This stage has two levels:

- reviewing at the level of the coded data

- Re-read all my data extracts that fit into each theme to ensure that all my data forms a coherent pattern.
- reviewing at the level of the themes

Consider each theme in relation to my data corpus.

5. Defining and Naming Themes

During phase 5, themes were named, described and identified in the previous steps to construct the overall structure of the story. According to Braun & Clarke, researchers need to conduct and write a detailed analysis, identifying the story that each theme tells. ([Braun & Clarke, 2006](#)).

6. Producing the Report

Thematic analysis led to the development of 4 emergent themes. Before these findings are presented, it is important to note the main characteristics of the interview participants under study.

4.3. Characteristics of Interview Participants

Initially, the researcher aimed to conduct twenty elite interviews, and in order for the sample to be comprehensive, the researcher decided to divide the sample into four groups: (PA officials, Palestinian faction officials, civil society organizations officials, EU officials or officials from member states). The aim was to discuss the role of the EU in supporting democracy and human rights from a European and Palestinian point of view.

After conducting the first interview, it became clear that there is a huge amount of information that needs to be processed. There was also a difficulty in scheduling interviews due to the nature of the positions held by the interviewee, along with the

delaying impact of the Covid-19 pandemic. We also have to take into account that some people refused to be interviewed or refused to respond.

Therefore, the number of interviews was reduced to 15, and the research objective was limited to the Palestinian point of view.

Elite interviews were conducted with 14 people in leadership positions in the Palestinian Authority, Palestinian parties and human rights organizations in the West Bank and Gaza.

4.4. Emergent Themes

A total of four main themes and three sub-themes were generated using Braun and Clarke's (2006) six phases of thematic analysis.

The following themes emerged from the interview:

1. The Euro- Palestinian relationships and the intertwining European relationships with Israel and America and its impact on the Palestinians.
 - The Euro- Palestinian relationships.
 - The Euro- American Relationships and their impact on the Palestinians.
 - The Euro- Israeli Relationships and their impact on the Palestinian.
2. Evaluating the European role in Palestine politically and economically and its goals.
3. Evaluating the European experience in spreading democracy and human rights in Palestine.
4. The EU and political Islam.

4.4.1. The Euro- Palestinian Relationships and the Intertwining European

Relationships with Israel and America and its Impact on the Palestinians.

Palestine holds a strategic importance to Europeans, being a territory of contention between France and Britain, as the latter had full military control over Palestine, contrary to what was stated in the Sykes-Picot Agreement, which stipulated for the territory to be under international control.

In their policies towards the Arab-Israeli conflict, European countries has complex relations with Israel, being historically linked to the Holocaust, while at the same time, Europe is trying to preserve its growing economic and political interests with the Arabs.

Consequently, Europe seeks to assume a mediation role between the Palestinians, Israel and the United States. In an attempt to reach a peaceful settlement of the Palestinian issue, The European established the Quartet Committee, which issued the “road map” to be the basis for establishing an independent Palestinian state. Europe also put forward the Euro-Mediterranean Union project to strengthen regional cooperation and advance the peace process in the Middle East.

Europe's relationship with the Middle East is historical as it has always been an important player in the Middle East, especially in the colonial era in which the region was divided between France and Britain post-World War 1.

The Palestinians believe that European colonial history is the root cause of all their suffering, as Europe has deliberately contributed to the creation of Israel, whether it is with the Balfour Declaration, the Sykes-Picot Agreement, or the British Mandate.

4.4.1.1. The European- Palestinian Relationships:

Europe's relationship with Palestine began in the modern era in 1840 A.D. when signs of weakness began to appear on the Ottoman Empire. Consequently, every European country began looking for influence in Palestine as missionary campaigns followed, and every European country claimed to protect a certain sect or minority in Palestine. France claimed to be the protector of Catholics in the East, and Russia claimed to provide Protection for the Orthodox community in the East, as Britain claimed to protect the Jewish community in Palestine²³⁹.

European countries were in a rush to inherit the legacy of the Ottoman Empire and establish its influence in the East, by controlling a region that is located at the heart of the world, especially the road that connects Europe with its colonies in Asia. During this period, the Zionist movement was working among the Jews and inciting them to settle in Palestine, and Europe found in this movement an opportunity that could be used to separate Palestine from its Arab world.

After occupying Napoleon Bonaparte for Egypt (1821-1769) Napoleon invaded the Levant and then he made an appeal to all the Jews in the world urging them to join him and to unite under his banner to rebuild the lost glory of (Israel) In Jerusalem. Napoleon's goal was to exploit the influence of the Jews to achieve his expansionist goals, but Napoleon's campaign failed and his plans in Egypt and the Levant failed.²⁴⁰

British Prime Minister Palmerston supported the establishment of a national home for the Jews in Palestine, while Zionist organizations took advantage of the European colonial policy that supported them, as they succeeded in obtaining a promise from the

²³⁹سعيد نوفل، احمد. "توجهات الاتحاد الأوروبي نحو القضية الفلسطينية وعملية السلام"، دراسات شرق أوسطية، العدد 25، 2003، ص 39-42.

²⁴⁰رجا عبد الحميد عرابي، (2006) "سفر التاريخ اليهودي"، ط 2، دمشق، الاوائل، ص 500..

French, known as the “Kambo Promise”, which calls for the establishment of a national home for the Jews in Palestine, and that was even before Balfour’s declaration.

Europe recognized the importance of having a dependable ally in the Middle East, which would help in preventing the rise of a united Islamic or an Arab nation²⁴¹.

This led to the UN resolution of the partition Plan in Palestine, in which European powers tried to strike a kind of balance between Jewish and Arab interests. However, in the aftermath of the British collision with extremist Zionist groups, the former has taken its step back in its support for the creation of the Israeli state.

Europe did not take into consideration the size of the tragedy suffered on the part of the Palestinians as a result of the Nakba in 1948 and rushed to recognize Israel under US pressure. The former empire did not put much emphasis on the fate of the Palestinian people, despite the hesitation of some countries in recognizing Israel, such as Belgium, Greece and other religious circles interested in the status of Jerusalem and the holy places.

Europe continued to support this fledgling entity and France further contributed by arming the Israel state. Both France and Britain participated in launching the Tripartite attack on Egypt in 1956 under the pretext of nationalizing the Suez Canal. Palestinian leader, Dr. Ahmed Al-Majdalani, describes this war as the last European-Israeli attempt to control the Suez Canal, Sinai, and the Gaza Strip. It was also described as the last of the twentieth century colonial wars that saw a cooperation between a European nation and the Jewish state which was a front base for British and France in their aggression against Egypt and the Arab region²⁴²

²⁴¹ سعيد نوفل، احمد، مرجع سابق، ص ص 39-42

²⁴²Dr. Majdalani, Ahmed, interview by author, Ramallah, 06.27.2020 (Dr. Ahmed Majdalani is a politician, economist and academic. Holds a PhD in Political Economics. Serves as Secretary General of

Senior Palestinian official, Nabil Shaath, also believes Britain and its ominous promise (the Balfour Declaration) is the source of all the evil that has afflicted the Palestinians.²⁴³ Al-Majdalani believes that the European interest in Palestine came in order to find a solution to the Jewish question in Europe on the Palestinian land.²⁴⁴

In 1957, an important European development took place, which was the signing of two important treaties in Rome, the first was established for the establishment of the "European Economic Community", which bore the name "European Market".

The second treaty established the European Atomic Energy Community consolidating the relationship between European countries. In 1967, European organizations were merged in sectors of steel, iron and coal, in addition to the European Common Market, and the European Atomic Energy Community. Thus, declaring the birth of a unified European group to start its operations From Brussels, within federal European framework as an attempt to be a force that is able to compete with the two existing superpowers (the United States of America, the Soviet Union).

On the international stage, European states began to re-engage in the affairs of the Middle East After the 1967 "Six Days War", as former French president General Charles de Gaulle, decided to cut arms-sale to Israel after its attack on the Arab countries. The former president also decided to launch the French "Arab politics" policy, which lead to trade agreements with Arab nations of North Africa.

the" Palestinian Popular Struggle Front (PPSF)." A Member of the PLO Executive Committee. Previously held several ministerial positions currently Minister of Social Development).

²⁴³Dr. Shaath, Nabil, interview by author, Ramallah, 06.06.2020 (Dr. Nabil Shaath is a senior Palestinian official, Dr. Shaath headed the first PLO delegation to the UN and accompanied President Yasser Arafat during his famous 1974 speech at the UN General Assembly Between 1992 and 1995, Dr. Shaath was the PLO's Chief Negotiator with Israel, before being appointed to Palestinian Authority ministerial roles in Foreign Affairs, Planning and International Co-operation. Minister.)

²⁴⁴ Ibid

Shortly after that, the EU took a step forward towards developing its position towards the Palestinian-Israeli conflict in 1971, by adopting Schumann document, which calls for the implementation of UN Resolution 242. However, this document remains secret, and did not get published it due to American and Israeli pressure on members of the Economic Community.²⁴⁵

As a result of the 1973 war, the Arab members Organization of Exporting Countries for oil (OPEC) declared an oil embargo on countries supporting Israel during its war with Egypt. As a result, the EU's realization of the need to have distinguished political and economic relations with the Arab world in order to ensure its oil supplies. Besides, it recognized that the Palestinian cause as the basis for stability in the region, and it is the real key to any concrete relationship with the Arab world.

The EU issued in 1973 "Brussels Declaration" in which he recognized that in order to establish a just and comprehensive peace, the legitimate rights of the Palestinians must be taken into consideration.²⁴⁶

The European position developed in 1977 in the London Declaration, where the Palestinian political identity was acknowledged. Then, the European progress towards the Palestinian cause reached its peak in the 1980 Venice Declaration. As it declared that in its sixth clause that “a just solution must be found to the Palestinian cause, which is not merely a refugee issue. The opportunity must be given to the Palestinian people to freely exercise their right to self-determination. These principles apply to all parties

²⁴⁵ خضر بشارة : أوروبا والوطن العربي: القراية والجوار، ترجمة جوزف عبدا الله ، بيروت، مركز دراسات الوحدة العربية، 1993، ص ص 94-95

²⁴⁶ ibid

involved, and therefore to the Palestinian people and PLO which should be included in the negotiations.”²⁴⁷

Palestinian official Ahmed Al-Majdalani considers that: "The Venice announcement is a turning point in the transformation of the European position towards the Palestinian cause, as European countries started to take the national rights of the Palestinian people into consideration. PLO's Executive Committee member, Dr. Wasel Abu Yousef, believes that the European position began to change with a tendency to support the Palestinian cause after the 1967 war, which culminated in the Venice declaration.

After 67 in particular, there was a role for the EU in the process of how to end the occupation and also how to build what constitutes a Palestinian state on the occupied lands of Palestine, starting with the Venice declaration clearly stating a unified EU's position that there must be a withdrawal from the occupied lands.

Thus, there must be a homeland for the Palestinian people that guarantees their rights as citizens on the basis of international law, especially the resolutions issued by the UN Security Council and the United Nations General Assembly. ²⁴⁸.

In March 1988, the European Parliament decided to freeze the financial protocols with Israel, and on January 18, 1990, it took a decision calling for a freeze on scientific cooperation with Israel because of its repressive policies during the First Intifada against the education of the Palestinian people and its closure of universities Palestinian.²⁴⁹

The EU's interest in Palestine increased after the signing of the peace agreement between the PLO and Israel, known as the Oslo Accords, Where Dr. Ammar Dweik

²⁴⁷ Ibid., pp. 103-104

²⁴⁸Dr. Abu Yousef, Wasel, interview by author, Ramallah, 10.06.2020 (Wasel Abu Yousef Secretary-General of Palestinian Liberation Front (PLF). he was elected to the PLO's Executive Committee.

²⁴⁹ خضر بشارة : أوروبا والوطن العربي: القرابة والجوار، ترجمة جوزف عبدا الله ، بيروت، مركز دراسات الوحدة العربية، 1993، ص ص 94-95

points out: " I believe that it is the EU interference in the Middle East's political affairs, especially Palestine, increased a lot after the Oslo Accords. The EU invested a lot in the two-state solution, the peace process, and state building in Palestine. It had a massive role in the 1996 elections and also the 2005-2006 elections. The EU was practically the main funder, as it financed 90-100% of the budget of the election commission as well as providing great technical support in terms of monitoring the process to ensure legitimacy".²⁵⁰

After opening channels of communication with the PLO, the UN provided Palestinians with great aid. However, the nature of the "Oslo" peace process excluded the European role, as the United States of America was the main sponsor of the peace process. The European role was limited to material and economic support to the Palestinian Authority post-establishment.

In ending the Israeli-Palestinian conflict, the EU adopts the principle of the two-state solution, but its policy is mainly shaped by two main factors: the first is the relationship of the EU with the United States of America, and the second is the relationship of the EU in Israel.

The next two sections will analyse European-American relations and European-Israeli relations.

4.4.1.2. The Euro-American Relationships and Their Impact on the Palestinians:

The United States of America considers that any active European role in the Middle East weakens its role in the region. Therefore, it sought to limit the role of the European

²⁵⁰Dr. Dwaik, Ammar, interview by author, Ramallah, 09.06.2020 (Dr. Ammar Dwaik is Director General of the Independent Commission for Human Rights)

Union and refused its participation in the peace process. The Union was keen to please America and not jeopardize its strategic relations with it.

There are EU member states that support the American viewpoint regarding the European role in the Middle East and refuses to bypass it.²⁵¹ This view is supported by Dr. Ghassan Al-Khatib, who says: "I think that US-European relations are the main factor in neutralizing Europe's relationship with the Middle East in general, including the Palestinians, because Europe's relationship with America is the first pillar in Europe's foreign relations strategy since the Second World War"²⁵².

Shaath supports this view when he says: "There are always strategic relations between Europe and America, true, albeit it is not as strong as during cold war era, but due to the current omnipresence of the American hegemony, Euro-US relations remain very strong where the EU remains in a tributary status"²⁵³

The United States believes that any attempt to consolidate a unified European political position that would compromise its position in the region, threatens Western cooperation and cohesion in the conflict between the eastern and western camps, as well as undermining American initiatives to resolve the Arab-Israeli conflict²⁵⁴.

The Ushas worked to confine the European role in the peace process within a very narrow scope. The American Admiration succeeded in marginalizing it at the Madrid

²⁵¹ نوفل، احمد. "توجهات الاتحاد الأوروبي نحو القضية الفلسطينية وعملية السلام"، دراسات شرق أوسطية، العدد 25، 2003.

²⁵²Dr. Khatib, Ghassan, interview by author, Ramallah, 25.07.2020 (Dr. Ghassan Khatib is lecturer of Cultural Studies and Contemporary Arab Studies at Birzeit University. Previously, he served as vice president for advancement and communications (2012-2016), director of the Palestinian Authority Government Media Center (2009-2012), Minister of Labor in 2002 and Minister of Planning (2005-2006), founded and directed the Jerusalem Media and Communication center. Peace Conference in 1991 and the subsequent bilateral negotiations in Washington from 1991-93. Khatib holds a PhD in Middle East politics from the University of Durham, and is author of Palestinian Politics and the Middle East Peace Process: Consensus and Competition in the Palestinian Negotiation Team.)

²⁵³Dr. Shaath, Nabil, op. cit.

²⁵⁴ علي الحاج: سياسات دول الاتحاد الأوروبي في المنطقة العربية بعد الحرب الباردة، رسالة دكتوراه، بيروت، مركز دراسات الوحدة العربية، 2003، صص 320-1321

conference as the EU was unable to obtain more than one observer, or to secure any important official position in the negotiation process.

Factional leader Bassam al-Salihi points out, “Europe has a primary alliance with the United States, and therefore this is a major part of its foreign policy, not with the Palestine in the first place. The effect is that Europe could not play an active role that would apply pressure on the United States in the political process.”²⁵⁵

When the EU tried to participate in the workshop related to arms control and security as part of the multilateral negotiations, the United States of America refused that, and retained the presidency of this group, and during the Israeli aggression against Lebanon in 1996, the United States of America stood firmly against the European political move led by France to resolve this crisis, the French initiatives failed several times.

It dealt with the French position sharply and negatively, because America views European political role in the peace process as competition with its own in light of the efforts Europe to create an effective foreign policy that qualifies it to occupy a distinguished role in the international scene.²⁵⁶

The European unwillingness to clash with Israel and the United States appeared during the second Palestinian intifada in 2000, when the EU was unable to pass an international resolution condemning the Israeli violations against the Palestinian people.²⁵⁷

Hamas leader, Osama Hamdan, confirmed: "In regards to Europe, the efforts of the Zionist pressure group at the European level did not achieve the desired Israeli success,

²⁵⁵ Al-Salhi, Bassam, interview by author, Ramallah, 15.07.2020 (Bassam al-Salhi is secretary general of the Palestinian People's Party (PPP) and a member of the Palestinian Legislative Council (PLC). In May 2018, he was elected to the PLO's Executive Committee (EC).He ran in the 2005 presidential elections and was minister of culture in the Palestinian Authority (PA) in 2007.

²⁵⁶ *ibid*

²⁵⁷ مجلة دراسات شرق أوسطية، هيئة التحرير: السياسة الخارجية الأوروبية والمحدد الأمريكي، السنة العاشرة، العدد 31، 2005، ص 10-07

so Israel resorted to using American pressure on Europe to include Hamas on the "terror list" after more Ten years after listing Hamas on the US terror list.²⁵⁸

When the United States of America occupied Iraq in 2003, ignoring international legitimacy and strong European opposition to this war, Europe found itself marginalized and weightless in the international scene, and incapacitated in the face of the United States of America. Consequently, Europe decided to change its approach by supporting American policy in the Arab region²⁵⁹. European position became very similar to that of the Americans in the Arab world, and this rapprochement was clearly demonstrated by the German Chancellor Angela Merkel, as the de facto leader of the European Union and the Group of Eight, who visited the United States of America, accompanied by Javier Solana, at the time high representative of the union for foreign affairs and security policy, and embarked on a great convergence in European-American policy. This was in addition to the apology of French President Nicolas Sarkozy for the lack of support to the United State in its war against Iraq²⁶⁰.

The conclusion is the EU was not able to impose its own political orientations towards the conflict in the Middle East, but rather stood behind the US policy in the region.

²⁵⁸Osama Hamdan, a written interview (conducted by electronic correspondence) conducted by Dr. Mohsen Muhammad Salih, and the text was approved by Osama on 03.03.2014, and it was published in the book "The Islamic Resistance Movement Hamas: Studies in Thought and Experience", which was edited by Prof. Dr.. Mohsen Muhammad Saleh, whose Arabic text was issued by the Zaytuna Center for Studies and Consultations in Beirut in 2014. Accessed 12.22.2020 <https://www.alzaytouna.net> (Osama Hamdan is a senior representative of [Hamas in Lebanon](#) and is a member of the organization's politburo)
²⁵⁹اللاوندي، سعيد. "ضوابط ومحددات: الدور الأوروبي في منطقة الشرق الأوسط." شؤون عربية: جامعة الدول العربية - الأمانة العامة ع 129 (2007): 111 - 112
²⁵⁹ المرجع نفسه

²⁶⁰ ibid

4.4.1.3. The Euro- Israeli Relationships and Their Impact on the Palestinians:

It is important to begin by recognizing that the Holocaust was a catastrophic crime committed by the Nazi regime against the Jews. However, the problem faced by Arabs and others in dealing with the story of the Holocaust is that they reject the Zionist use of this particular monstrosity to justify the crimes of the Zionist colonial attack on the land of Palestine and the expulsion of its people to establish the state of Israel on it.

The European position on Israel was and still is ambiguous, and in this context, Al-Khatib refers to: The European-Israeli relations is strong, deep, and based on well-known historical interests and commitments. Therefore, Israel's relationship with Europe is one of the factors that determine to some extent the nature and level of the European-Palestinian relations."²⁶¹ The Palestinians are aware of the strength of the European-Israeli relations, as Al-Salihi states: "Israel is a major ally of Europe, and without a doubt, the level of the Israeli-European relations is far ahead of that with Palestine, so it would not be make sense to compromise the relations with Israel in favour of Palestine."²⁶². Israel is constantly trying to confirm this reality and capitalize on it for political advantage as it has used Europe's sense of guilt as a means of blackmail to get the maximum amount of political and financial support.

Palestinian senior official Shaath states: "European countries on more than one occasion refrain from doing the right thing, and when the Palestinian questions their approach, the response is that they couldn't do it because of Israeli pressure, and that they do not want a confrontation with Israel."²⁶³

Israel was not enthusiastic about the idea of an independent European role, except within the limits that are in Israel's interest, as Hamdan says: "The entire European role

²⁶¹Dr. Khatib, Ghassan, op. cit.

²⁶²Al-Salhi, Bassam, op. cit.

²⁶³Dr. Shaath, Nabil, op. cit.

is rejected by Israel, therefore it comes in specific contexts that do not contradict with Israeli and American interests. As such, the European role remains unable playing an active role, and is almost limited to Filling the void of the American role".²⁶⁴ Therefore, the EU was unable to play the role it desires, which is commensurate with Europe's mark as an international power.

As Israel knows that Europe supports its existence and its security but does give it full and unconditional support for its colonial and arbitrary policy towards the Palestinian people, Israel uses Europe's historical prosecution of the Jews for the purpose of political blackmail, as it claims that anti-Semitism is inherent in European culture. On this subject, Khaled Nassif comments: "Politically, European countries remain afraid of being described as anti-Semitic, anti-Jewish, or anti-Zionist as a result of the Holocaust, and this leads to the fact that in its political relations with Israel, Europe has transgressed many of the rights of the Palestinians or overlooked them in order to please Israel, and this affects us negatively on the political, media, economic, and all levels"²⁶⁵. Thus, any European criticism directed at Israeli policy, no matter how minor it is, or any support for the Arabs or the Palestinians, however limited it may be, falls into the Israeli dictionary under the slogan of European anti-Semitism. left-wing Israeli writer and historian Zeev Sternhill, who is one of the world's leading experts in fascism and a holocaust survivor, wrote in Haaretz published article that Tel Aviv is trading in the "Holocaust" to pass the alleged "deal of the century", accusing those who oppose the annexation of settlements in the West Bank of "anti-Semitism. "

With an eye-catching title "Annexation under the auspices of the Holocaust", Sternhill, linked the Holocaust Forum that was held on January, 2020 in West Jerusalem

²⁶⁴Osama Hamdan, op. cit.

²⁶⁵ Naseef, Khaled, interview by author, Ramallah, 06.07.2020 (Khaled Naseef - General Manager of Ramallah Center for Human Rights Studies)

and the “Deal of the Century””, as he writes: “The joint campaign of (US President) Donald Trump and (Israeli Prime Minister) Benjamin Netanyahu to grant American legitimacy to annex Palestinian lands was leaked exactly at the time that Yad Vashem (museum) witnessed the global commemoration of the Holocaust in World War II.”.

Also, he said that Israel turned “anti-Semitism” into a way to paralyze the expected opposition in the world to the annexation plan (the deal of the century) in advance, adding that “this is how anti-Semitism, which brought disaster to the Jewish people, turns into a brazen political tool in the hands of Israel.”

Sternhill considered that "anti-Semitism" has become for Israel "the ultimate weapon against any claim to evacuate Jews, even a few of them, from the West Bank, and against the idea of dividing the land in a just manner."".

For Jewish nationalists, any policy that does not correspond to the Israeli interest, as they see it, has become "anti-Semitic.". Sternhill said that "Netanyahu and his envoys' talent in Holocaust trafficking and anti-Semitism does not need more evidence," adding: "As well as Europe's cowardice in confronting the blackmail of the Israeli right is known to everyone."

Sternhill stressed that Israel, led by the Likud Party, succeeded in making the concepts anti-Zionism and anti-Semitism equal in the eyes of the West. He continued: “Europe is rightly controlled by the guilt complex towards the Jews: this account will never be closed, but it does not justify tolerance of Jewish-Israeli nationalism and racism."

And he considered that "any sane person realizes that annexation without equal rights for the Palestinians means the establishment of a new apartheid (apartheid) state." ²⁶⁶

²⁶⁶Sternhell, Zeev. "The Holocaust as a Pretext for Annexation." Haaretz, January 31, 2020. Accessed 20.07.2020. <https://www.haaretz.com/opinion/.premium-the-holocaust-as-a-pretext-for-annexation-1.8472451>

In conclusion, European political interference in Palestine is rejected by Israel, so it comes in a specific context so that it does not conflict with Israeli and American interests in the region, and thus the European role remains insufficient and it is almost confined to filling the void of the American role.

4.4.2. Assessing the European Role in Palestine: Political & Economic Aspects and Goals:

In this section, the researcher evaluates the European role in Palestine from the political and economic perspectives, in addition to the objectives behind this intervention.

4.4.2.1. Assessing the European Role in Palestine in Political Terms:

After signing Peace agreement between the PLO and Israel, the EU participated in the peace process from the beginning. The EU is the largest donor to the Palestinian people and has played a political role by supporting the Palestinian people in negotiating with the Israeli sides, where the Union has appointed a Special Envoy for Peace since 1996.

The EU is also a member of the Committee Quadrilateral for peace, which was established in 2002 at the suggestion of the Spanish Prime Minister. The European Union had a vision for the solution of the Arab-Israeli conflict, through negotiations between the Israeli and Palestinian sides, which eventually leads to a two-state solution.

The EU has made effective contributions to the process of institutional reform within the Palestinian authority. For the purpose of training the Palestinians, the EU contributed in paying salaries and pensions of PA employees, along with being an

active contributor in implementing and supporting many developments, protection and social programs ²⁶⁷.

During the peaceful negotiations between the Palestinian and Israelis, the position of the EU evolved over time. At the Madrid Conference, the European Union was an observer, and after Oslo, it acted as a funder. At other points, it was a participant and witness, especially in its role in the establishment and formation of the International Quartet.

The EU had its own vision for a peaceful solution through the Berlin Declaration in 1999, in relation to the future Palestinian state, as well as the rejection and denunciation of the Israeli settlement policy, and the EU had a clear and explicit position in refusing the annexation wall. Although all those interviewed emphasized the importance of the role of the EU in the political development of Palestine, there were many observations on this role among these, is the dependence of the European Union on America, as Al-Khatib comments: "Europe has limited intention to play an independent political role in the Middle East, because there is an implicit understanding that the Middle East is an American sphere of influence, for reasons related to oil and Israel. Consequently, Europe's role will remain secondary and additional to the role of the United States of America."²⁶⁸

The Palestinian official, Dr. Stephan Salameh, states "On the political level, Europe has historically been politically tied to America's foreign policy, especially with regard to the Middle East, and this was at one stage a kind of obstacle in regards Europe taking a greater role as a mediator in the peace process".

Unfortunately, Europe still follows the American foreign policy, although it has been noticed recently that there is a bit of divergence from the American policy, especially

²⁶⁷Dr. Dwaik, Ammar, op. cit

²⁶⁸Dr. Khatib, Ghassan, op. cit.

with regard to the Palestinian issue.²⁶⁹, Al-Majdalani also referred by saying "Europe has often played the role of financier, while the United States of America plays the political role that is biased towards Israel."²⁷⁰, In the same context, the Palestinian leader Hanan Ashrawi confirmed this and said: "Europe took the role of building the state and its institutions, and America took the role of political negotiations, political action, etc., and we paid a heavy price for it."²⁷¹

Issam Younes believes that the EU' role has been limited to being an ATM for America without playing any effective political role, as he says: " during the last period, the role of the EU was and is still mainly pumping more funds... The European Union played the role of financier by mainly Injecting funds into the occupied territories, Gaza, Jerusalem and the West Bank, but without seriously dealing with the reasons for not making a progress". "I think the European Union is pretty much satisfied," he added, "by playing the financier role at the expense of the political, in this sense, it could pretend to fulfil its moral duties, while glorifying its values and principles. He also added that funding is important for the Palestinians to build their institutions, strengthen their presence and enhance their capabilities, but this alone is not sufficient because it will not achieve the desired goal if it is not accompanied by a political support".²⁷².

²⁶⁹ Salama, Stephen, interview by author, Ramallah, 16.07.2020 (Dr. Stephen Salama is the head of the Planning, Policy and Aid Coordination Unit in the Prime Minister's Office)

²⁷⁰Dr. Majdalani, Ahmed, op. cit.

²⁷¹Dr. Ashrawi, Hanan, interview by author, Ramallah, 04.07.2020 (Dr. Hanan Ashrawi is a distinguished Palestinian leader, legislator, activist, and scholar who served as a member of the Leadership Committee and as an official spokesperson of the Palestinian delegation to the Middle East peace process. Making history as the first woman to hold a seat in the highest executive body in Palestine, she was elected as member of the Executive Committee of the PLO in 2009 and 2018. As a civil society activist, she founded the Independent Commission for Human Rights, MIFTAH and AMAN. She serves on the advisory and international boards of several global, regional and local organizations, and she is the recipient of global awards and several academic accolades - AMAN.)

²⁷² Younes, Issam, interview by author, Ramallah, 09.01.2020 (Issam Younis is the Director General of Al Mezan Center for Human Rights)

One of the reasons for the weak political influence of the EU in Palestine is the lack of a unified European policy, and the different views among member states in dealing with the Palestinian issue. As such, there is the “Pure American Israeli” position, even if it is at the expense of European interests, and then there is your moderate one, but it does not rise to the point of confrontation. there is a third position, which calls for prioritizing European interests over those of the United States of America, and this is what we see as many countries demand punitive measures against Israel, and the recognition of the State of Palestine.

Al-Majdalani further states that “There are countries that only condemn and consider that it's the most you can do.”²⁷³ This was also confirmed by Hamdan, "Europe does not have a completely unified political vision, but European countries play roles that do not exceed the American ceiling, which weakens its influence on the Palestinian issue and the Middle East.”²⁷⁴.

One of the reasons for the weak political influence of the European Union in Palestine is the presence of the Israeli occupation, as Al-Khatib says: "Despite the relatively serious and generous attempts of the European Union, these attempts did not succeed for two reasons, firstly, the occupation measures that impede practically any possibility of development, such as Israel's control over borders, water, Area C, and so on, and secondly, because of the lack of a political solution, which leads to the continuation of tension and conflict, which in turn limits development.”²⁷⁵.

The conclusion is that the political influence of the EU in Palestine is limited, and this is due to the refusal of America and Israel for the European Union to play an effective and

²⁷³Dr. Majdalani, Ahmed, op. cit.

²⁷⁴Osama Hamdan, op. cit.

²⁷⁵Dr. Khatib, Ghassan, op. cit.

influential role in Palestine, along with the internal European divisions that the EU suffers from.

4.4.2.2. Assessing the European Role in Palestine in economic terms:

The aid provided by the European Union represents an important and stable source of support for the Palestinian National Authority. Where Al-Khatib points out: "Europe is the main donor to Palestine, and therefore it has an important economic role."²⁷⁶ This commitment is a reflection of the European Union's political position, which strongly supports a two-state solution on the basis of relevant international resolutions.

European aid is distinguished by its diversity, as it is devoted to several areas, foremost of which is supporting the institutional capacities of the Palestinian National Authority, supporting the general budget, in addition to what it provides to UNRWA, and supporting the institutions of Jerusalem, the poor, education and others.

The EU has contributed more than a third of the amount of aid provided to the Palestinian budget, and this support averages around \$300 million annually.²⁷⁷ The economic support provided by the EU to Palestine is the most important and most prominent, as this support was characterized by diversity, as it included many aspects.

Us and the EU are among the largest donors to Palestine, as they support the economy, support institution building, support the budget, and also support the UNRWA.²⁷⁸

Dr. Saeb Erekat also referred to this, when he said: "Europe plays an important role in the development field and provides financial support to the building of Palestinian institutions, as well as providing economic, industrial, commercial, technological and

²⁷⁶ Ibid

²⁷⁷ وزارة المالية، "تقرير العمليات المالية الشهرية" دولة فلسطين وزارة المالية و التخطيط. تاريخ الدخول 16.11.2020. <http://www.pmf.ps/pmf/internal.php?var=11&tab=01>

²⁷⁸ Dr. Salama, Stephen, op. cit.

development projects, which includes infrastructure, tourism, cultural and other sectors in all of occupied Palestine.

These programs have contributed In raising productivity job opportunities, and it has strengthened the Palestinian economy and the steadfastness of its people in light of the difficult political conditions they face due to the continuing occupation and its continuous violations against them.²⁷⁹ , Shaath also pointed out: "The European economic role was the most important and the largest, because Palestine made an association agreement with the EU, and I signed this agreement in Germany. This agreement gave Palestine freedom to trade with the EU without customs taxes and allowed some European investment in the region." Also, the Europeans helped Palestine, especially when Israel stopped transferring tax-clearing funds to Palestine, and therefore the European economic role was the most important in supporting and helping the Palestinian people after 1994 when the Palestinian National Authority was launched.”²⁸⁰

The same thing was emphasized by Raji Al-Sourani, who pointed out: “Europe certainly has an effective economic role. The Palestinian Authority would collapse if European support stops, as most strategic infrastructure projects are funded by the European Union. The EU is an important factor in the economic aspect.”²⁸¹.

Thanks to European efforts, the Palestinians were able to hold presidential and legislative elections in 1996, presidential elections in 2005, and legislative elections in 2006. Dweik said: The European Union massively contributed to the solution of the

²⁷⁹Dr. Erekat, Saeb, interview by author, Ramallah, 08.07.2020 (Dr. Saeb Erekat was secretary general of the PLO Executive Committee and chief Palestinian negotiator with Israel and was member of Fatah's Central Committee)

²⁸⁰Dr. Shaath, Nabil, op. cit.

²⁸¹ Sourani, Raji, interview by author, Ramallah, 06.07.2020 (Raji Sourani is a human rights lawyer in the Gaza Strip, he is director of the Palestinian Center for Human Rights in Gaza. He is the recipient of the Robert F. Kennedy award for human rights, and was twice names as an Amnesty International prisoner of conscience)

two-state solution, the peace process and building the Palestinian state. The union had a very big role in the 1996 elections and also the 2005-2006 elections. Great technical support for the Elections Committee, by contributing to the monitoring process in order to grant legitimacy to the electoral process.”²⁸²

This is in addition to the European Union's efforts to support marginalized segments in the West Bank, Gaza and Jerusalem through social protection programmes, as Salameh says: Europe's political position is clear, and they are trying to translate it on the ground through projects in Area C, projects in Jerusalem, projects in the Gaza Strip, projects that support the process of Palestinian-Palestinian unity, and the unity of land and geography.²⁸³.

In conclusion, the impact of European economic aid has been positively reflected on the performance of the economy. This aid has contributed to raising the ability of the PA to carry out its duties in serving the Palestinian citizens, and the aid has also contributed to developing the infrastructure and the performance of civil and governmental institutions.

4.4.2.3. Assessing the European Role in Palestine in Terms of its Goals:

It is natural for European countries that have suffered the scourge of wars and multiple revolutions over their long history which had cost them massive human and material losses, to convert to democracy use several tools to adhere to human rights. Also, it has become one of the most important pillars of their foreign policy and one of the fundamental values upon which their agreements and instruments have been signed. These agreements are considered a basic guarantor of long-term stability inside and

²⁸²Dr. Dwaik, Ammar, op. cit.

²⁸³Salama, Stephen, op. cit.

outside the continent, which Europe's attempt to transfer the experience of democracy and human rights abroad.

Al-Salihi points out that "Europe has a political and theoretical promotion of its democratic ideas."²⁸⁴, Abu Yousef supports this by saying "The European Union countries live in luxury after the Second World War as they eliminated the great burdens of reconstruction among other things, and are trying to embody democracy in their countries, as well as transfer these Experience to all the world"²⁸⁵.

Al-Khatib points out: "Palestine is important in the region for well-known reasons, and Europe is interested in the region because it constitutes the backyard of continent and its channel to the East, therefore has great strategic importance. On the other hand, Europe is committed to Israel's interests, so it will remain concerned and interested in the region."²⁸⁶

It is noted here that the Palestinian views differ towards Europe's goals in Palestine, as Ashrawi believes that Europe's connection to Palestine is the result of an American will and desire, and that America is the one that demanded Europe to support the Palestinians, not out of love for them, but rather to support the security, economy and stability of Israel, as she says: "It is America that entrusted Europe with the issue of institution-building and state-building, and the Europeans dealt with the Palestinians on the basis that this is an investment in making peace. But if there is no peace process, as when Congress and US President Trump stopped support for Palestine, along with imposing harsh and meaningless."²⁸⁷

²⁸⁴Al-Salhi, Bassam, op. cit.

²⁸⁵Dr. Abu Yousef, Wasel, op. cit.

²⁸⁶Dr. Khatib, Ghassan, op. cit.

²⁸⁷Dr. Ashrawi, Hanan, op. cit.

According to Yunus, the world supports the Palestinians only for the sake of Israel, and the goal is to keep the economic situation in good condition so that there is no new intifada. He says: "It is possible that because of our conflict with Israel, the world is obliged to provide funding to the occupied lands in order for the people not to starve. if you imagine that this conflict is with Chad or with Uganda, no one will care for us. Funding is the end of a political gambit to maintain a minimum level of stability in the occupied territories and to prevent starvation."²⁸⁸.

In conclusion, while all the Palestinians interviewed praised the European role in Palestine, most of them indicated that the main goal of the Europeans is stability in the region, and that Israel's security are among the most important goals of Europe in Palestine. Which explains the realistic approach of the EU in its foreign policy towards Palestine and the conflict, regardless of democracy or liberal values.

4.4.3. Evaluation of the European Experience in Spreading Democracy and

Human Rights in Palestine:

It should be noted that claiming the existence of a democratic political system in Palestine is inaccurate for several reasons:

1. The absence of a Palestinian sovereign independent state which means that there is a lack of control over the territory which the Palestinian people will exercise the right to self-determination and sovereignty. As a result, the sovereignty of the political system will be lacking.
2. One cannot have a fully functioning democratic Palestinian state until the occupation ends.

²⁸⁸Younes, Issam, op. cit.

3. There are many regional and international influences on the Palestinian political action, so that it is difficult to talk about a Palestinian political system in isolation of these influences.
4. The Palestinians and their political system are still going through a transitional phase, which is the transition from a people under occupation to the establishment of a Palestinian independent state.

The Palestinians have a rich and vivid experience in democracy, which existed even before European support. This experience left its clear traces on the path of the Palestinian political life, and the development of its institutions. Democracy was an integral part of the PLO, political parties, unions, civil organizations, and in some instances, the PA.

Experimentation with democracy in the PA has begun with the legislative elections in 1996, and continued through to the presidential and legislative elections that were held in succession, between 2005-2006. In the 2006 legislative council, most of the Palestinian factions participated, apart from Islamic Jihad. Al-Majdalani refers to this when he says: “The political development in Palestine is not linked to European support, and I urge you to check the history of Palestine, in terms of political and trade union movement, as it goes back to more than 120 years. There were always political parties, intellectual pluralism, and unions in Palestine and was not influenced by Europeans, instead it was due to various internal factors.”²⁸⁹,

In this regard, Al-Sourani also stated: The Palestinian people were always accustomed to democratic practices, as there were always elections in Palestinian universities, taking

²⁸⁹Dr. Majdalani, Ahmed, op. cit.

place in Birzeit, An-Najah, Polytechnic, and Bethlehem universities, as well as elections for unions, such as engineers and doctors Syndicate "²⁹⁰.

The Palestinian society is still going through a transitional stage, from that of national struggle to ending the occupation, by laying the foundations of an independent Palestinian state. The Palestinian case is different from any other country, in terms of the exceptional circumstances that the Palestinian arena is going through; This is due to the Israeli occupation which clearly undermines the rights and freedoms of the Palestinian people.

The experience of the first Palestinian Legislative Council in 1996 was the first of its kind in the Palestinian context, and one of its biggest achievements was the amended Basic Law of 2003. In 2006, the second legislative elections took place in Palestine, where the Change and Reform List " Hamas Movement" obtained a majority of the seats in the Legislative Council subsequently a national unity agreement based on the Mecca agreement, which continued its work until the date of its dismissal in June of 2007, after the violent clashed that took place between Hamas and Fateh in the Gaza strip, which resulted in a political division that lingers on till this day, where Hamas holds de facto rule over Gaza, and the Fatah dominated PA remained in the West Bank

the dismissal of the government and the political division had a negative impact on the various rights and public freedoms that the Palestinian citizen should have enjoyed based on the provisions of the law, and also greatly affected the legislative process in the areas of the Palestinian National Authority.

²⁹⁰Sourani, Raji, op. cit.

The Oslo Accord provided for the establishment of an interim self-governing authority in the West Bank and Gaza Strip for a period of five years, leading to a permanent settlement based on the Security Council Resolutions 242 and 338.

The political environment in this period was appropriate to the idea of supporting democracy and human rights, as it was believed that the Palestinian state will be established in the upcoming 5 years. However, the horizon for a political settlement disappeared, efforts to spread democracy and human rights became questionable, as the priority for the Palestinian people is to end the occupation which remains till this day.

This leads us to question the intentions of the EU in regard to its policies towards Palestine, why would the EU push the PA towards holding elections while provide the funding for it, only to refuse its results after Hamas's win?

in response to this question, Majdalani was surprised by this contradiction and double standards, as he indicated " Hamas won the democratic elections, and we handed them power in a democratic manner, as I was a minister myself in the government at the time, we handed them power. This is a submission to the Israeli and American whims, and rather than principle." Al-Majdalani continued to comment "What differentiates Hamas from the Ennahda movement in Tunisia? There are good relations between Europe and the Ennahda movement in Tunisia. When the Muslim Brotherhood in Egypt took power, all European countries were racing to build relations with Mohamed Morsi and the Muslim Brotherhood. Frankly, we do not like this double standard, regardless of our position on Hamas, and our political and ideological dispute with them. the Palestinian leadership accepted democracy and believed in the peaceful and democratic transfer of power.²⁹¹

²⁹¹Dr. Majdalani, Ahmed, op. cit.

In that, Ashrawi indicated that the Palestinian people were punished because they exercised their democratic right, but the results of this right were not up to the liking of America and Israel. She also described European policies as Hypocritic "This exposed hypocrisy, the hypocrisy of Europeans and the West as a whole; you are pushing towards democracy, elections, etc. We must hold elections on the condition that we elect whomever you want, but if the elections result in a group that you do not want, we will be punished, and they actually punished us financially."²⁹²,

Al-Salihi also described European policies as hypocrisy, as he said: "This is part of the hypocrisy and political subordination to America at the time, and also in connection to relations with Israel in our political relations with Europe, we have always criticized that, and I think that this was a big mistake on the part of Europe as it was not consistent with what Europe advocates."²⁹³

Al-Sourani rejected the European position on not recognizing the Hamas government and indicated that this position was under American and Israeli pressure, as he said: "This matter is completely unjustified and unacceptable. I have no reason to justify it or make me accept it." How do you agree? The Commission of the international community stressed the necessity of Hamas' presence in the elections, and the world, including the European Union and former US President Jimmy Carter, was a witness to the integrity of the elections, and after Hamas won the elections, the world does not accept its results," Sourani also assured that "It is America and the Israelis who pressured the European Union not to recognize Hamas."²⁹⁴.

As Hamas is a terrorist movement, Erekat says: "Europe turned against the democratic process and the results of the elections before they actually started, and it set the

²⁹²Dr. Ashrawi, Hanan, op. cit

²⁹³Al-Salhi, Bassam, op. cit.

²⁹⁴Sourani, Raji, op. cit.

preconditions before the elections. The International Quartet then set conditions for Hamas, including recognition of Israel - bearing in mind that Hamas is a party and not a state or representative of the Palestinian people - renunciation of violence and recognition of the agreements signed between the PLO and Israel, indicating that agreeing to these preconditions would continue financial aid to the National Authority.

Although these elections - one of the means of democracy advocated by Europe - were transparent and fair, the European Union participated in imposing these conditions on a Palestinian party, and the latter refused to agree to them, which prompted the European Union to refuse to recognize its government.²⁹⁵.

In response to this question, Dweik also indicated that the European Union's adoption of the position of the Quartet; Where it put conditions on the Hamas government to renounce violence and recognize Israel, and where the government of Hamas rejected these conditions, which prompted the European Union to stop the support provided to the government and transfer it to the Palestinian presidency, which contributed to the Palestinian division and aborted the democratic transition process.

Putting conditions on an elected government to renounce violence and recognize Israel, and this practically led to the disruption of the democratic transition process because the elected government found itself unable to fulfil its obligations, at the same time the European Union provided support for the presidency and the security services affiliated with the president.

Thus, this reinforced the rift within the Palestinian political system, which ultimately led to the occurrence of what happened in the Gaza Strip - the military confrontation.”

He also said, “The European Union not only did not help the process of democratic

²⁹⁵Dr. Erekat, Saeb, op. cit.

transition, on the contrary, it contributed to abort the democratic transition process and contributed to the issue of division.”²⁹⁶.

Although Younes praised European efforts to support democracy and human rights in Palestine, but he believes that the existence of the Israeli occupation impedes the development of life Democrat in Palestine, he also referred to the European duplicity in their dealing with democracy, when the European Union refused to recognize the results of the Palestinian elections under Israeli pressure, and also referred to the duplicity.

In dealing with Gaza, where more than 2 million people have been living under siege since 2007, and the world, including the European Union, stands still, as he said: “With regard to democracy and human rights, the European Union funds the human rights sector, the rule of law and justice facilities in the authority and the civil sector, and it comes Within the broader European vision related to the values of justice, there is no doubt.

However, this comes in the context of supporting the justice sector, and in the end there is no political role to put an end to the occupation by undermining the pillars of this authority and the pillars of the work of institutions, in the end it will not lead to the desired result.” He also said, "Everyone wants democracy, but no one wants to accept its results, and therefore the required democracy is a democracy of a certain size and is not based on principles and values.”²⁹⁷.

Here we see that the position of the European Union to recognize the result of The Palestinian elections, it was at shock due to the winning party’s recognition of Israel and its renunciation of violence, Shaath says: “ Hamas refuses to recognize any peace with

²⁹⁶Dr. Dwaik, Ammar, op. cit

²⁹⁷Younes, Issam, op. cit.

the Israelis and rejects any two-state solution based on peace agreements, and Hamas believes that all peace agreements are rejected.

These are the positions that Europe cannot support.”²⁹⁸In the context of Al-Khatib's response to a question, why did Europe refuse to recognize the Hamas government? He replied, "Because Hamas adopts a program, positions and behaviour that does not recognize Israel and seeks to eliminate it, and this is a red line for Europe."²⁹⁹

As for the face? Hamas looks at it and says: Yousef, Hamas expected that the Western world would welcome the success of Hamas in the elections with open arms, in line with the slogans launched by the West to spread democracy. and human rights, and Europe's refusal to recognize a government Hamas was willing because American America saw Hamas' victory as a threat to its strategies in the war on terror, as the success of Hamas would represent a role model in the Islamic world.

This is what America does not want, as he says: “After Hamas won with the legislative elections, we waited for the Western world to open its chest to us, and to receive us with a warm welcome, in line with the slogans it launched about the necessities of spreading democracy in the Middle East.

Similar to the support provided by America to the democratization processes in Latin American countries and some Eastern European countries witnessed at the end of the eighties. However, it is found the doors slammed in our faces, and everyone was hostile to us, and instead of seeking to communicate with us and try to accommodate us, America and Europe represented in the Quartet, put all obstacles in place to paralyze

²⁹⁸Dr. Shaath, Nabil, op. cit.

²⁹⁹Dr. Khatib, Ghassan, op. cit.

our political movement, and thwart our ability to achieve reform and change that our people heralded.”³⁰⁰

And he said Yusef also, "The three conditions of the Quartet were unjust and unfair and did not fit the logic of things, and that is why we rejected them, although it was possible to negotiate on some of them and reach an understanding on them."³⁰¹. He also said “America saw the victory of Hamas as a threat to its strategy in the war on terror, considering that the success of this movement would encourage Islamists in the rest of the regions to follow suit, and this is what the Bush administration and its allies do not want in the region, so they all worked to conspire against it to drown it in life’s problems. Through the economic blockade and encircling it with political isolation to dry up the sources of its communication with the Arab and Islamic depths.”³⁰²

In conclusion, Palestine has a different situation from the rest of the world, as the Palestinian people are still under the Israeli occupation, and the Palestinian people are going through a transitional phase. From the stage of the national struggle to ending the occupation, to building states Palestinian independent European efforts were to support democracy and human rights in Palestine when the Palestinian authorities are established. It is progressing well and with remarkable progress, until the legislative elections are held the second.

Whereas, Hamas won the majority of seats in the Legislative Council, where the Hamas government formed the tenth government, which in turn submitted its resignation to the President of the Authority based on the Mecca Agreement in order to form a

³⁰⁰ “ديوسف أحمد , أوروبا وحماس واتهامات الإرهاب: تساؤل برسم الإجابة؟ , samanews, 02.02.2015, [الدكتور أحمد يوسف المستشار السياسي لرئيس الوزراء](https://samanews.ps/ar/post/226838), access date 09.12.2020) (الفلسطيني المقال إسماعيل هنية)

³⁰¹ Ibid

³⁰² Ibid

government of national unity that continued to function until the date of its dismissal in June 2007, after this Events and changes, most notably the political division since 2007 and continuing until this moment, and the presence of two governments in Gaza and Ramallah. those events.

The international position on the results of the Palestinian elections, the dismissal of the government and the Palestinian political division, as well as the political stalemate in the peace process with Israel, reflected negatively on the various rights and public freedoms that the Palestinian citizen should have enjoyed based on the provisions of the law.

The coup of the European Union against the democratic process and the results of the elections, and the adoption by the European Union of the position of the Committee Quadrilateral; Where to put conditions on the government Hamas to renounce violence and recognize Israel. Since the government Hamas rejected these conditions, which prompted the European Union to stop the financial support provided to the government Palestinian Authority and turn it into the presidency Palestinian, has contributed to the occurrence of the Palestinian division and aborted the process of democratic transformation in Palestine³⁰³.

Finally, there is a duality and European selectivity in their dealing with democracy and human rights in Palestine, and their silence on the repeated Israeli violations that violate international human rights law, including international charters and conventions, a blatant violation, and defying all international norms and standards accepted by the international community, the obligation of the Israeli occupation to respect the will The international community, especially when talking about respect for human rights and

³⁰³Dr. Ashrawi, Hanan, op. cit

the provision of protection for the civilian population, can be done by exerting pressure on Israel. Some of them are economic, such as imposing sanctions and restricting trade exchange, and others that are political to ensure the end of the state of occupation, and the exercise of the Palestinian people's right to self-determination.

4.4.4. The EU and Political Islam in Palestine:

The Charter of the Islamic Resistance Movement "Hamas" issued in 1988, stipulates that Palestine is an Islamic land that is not to be surrendered. According to the charter, Hamas believes that initiatives and so-called peaceful solutions to solve the Palestinian issue contradict the doctrine of the movement which is based on armed resistance. The Islamic Jihad movement agrees with this proposition, as its political charter emphasizes that Palestine is an Islamic land from the river to the sea, and it is forbidden to forego any inch of it. Despite of Hamas's rhetoric, which calls for the liberation of all of Palestine, its view of the interim solution has evolved.

In 1988, the leader Mahmoud Al-Zahar presented A project that includes a solution based on Israel's declaration of its intention to withdraw from the territories occupied in 1967, and placing Jerusalem under United Nations' auspices. Muhammad Nazzal, the representative of the movement in Jordan, said in a statement he made in 1993, that the movement is ready to accept a peaceful solution in exchange for Israel's withdrawal from the occupied territories in 1967³⁰⁴. Sheikh Ahmed Yassin - the founder of the movement - also expressed the acceptance of his movement of a Palestinian state in the West Bank and the Gaza Strip as a preliminary step, and that was in a message he sent from inside the prisons of the occupation in late 1993.

³⁰⁴ خالد الحروب، حماس الفكر والممارسة السياسية، (بيروت: مؤسسة الدراسات الفلسطينية: تشرين ثاني 1996) ص 80-81

Despite Hamas's its adherence to the principle of the Islamic state, it accepted the principle of a peaceful solution, and it also agreed to a truce with Israel for a period of ten years or more, in return for Israel's unconditional withdrawal to the borders of June 4th, 1967. In 2017 The head of Hamas' political bureau, Khaled Meshaal, announced a new political document for the movement, according to which it will support the establishment of a Palestinian state on the borders 1967.

What is significantly remarkable about the newly issued charter in 2017, is that the Muslim Brotherhood were not mentioned, as the movement aimed at presenting itself to the world as a national liberation movement that has nothing to do with terrorism and is not hostile to Judaism, as its battle is with Zionism, contrary to what was stipulated in the previous charter.

Hamas sees that the West contradicts itself when it calls for freedom of opinion and human rights at a time when it supports the Israeli occupation, which practices oppression and human injustice, as it also describes Palestinian resistance to the occupation as terrorism.³⁰⁵

Hamas has no problem in meeting with official Western representatives, and this has already happened several times. Many note the objectivity of the Hamas's view of the West. Some western initiatives, such as the one led by former US president Jimmy Carter, called for the necessity of including Hamas in any future peace agreement³⁰⁶

“In an article by Ahmed Youssef under the title “Europe, Hamas and the Accusations of Terrorism: A Question to Draw the Answer?”, In this article, Youssef affirms that Hamas' basic project is to end the Israeli occupation through resistance, and that

³⁰⁵عبد الله أبو عيد وآخرون، دراسة في الفكر السياسي لحركة حماس (1987-1996). عمان:مركز دراسات الشرق الأوسط، ط2، (1998) ص 117-154.

³⁰⁶Moore, Chris "Carter: Hamas to accept peace, under conditions." Farnce24, April 21, 2008. Accessed 12.21.2020. <https://www.easybib.com/guides/citation-guides/chicago-turabian/how-to-cite-a-newspaper-chicago-turabian/>

resistance to the occupation is a legitimate right according to international law. This vision depends on the fact that resistance is the A legitimate right of the Palestinian people, as long as there is an occupation, international laws and give us the right to resist the occupation. Hence, it is absurd to accuse our legitimate resistance to the occupation of terrorism. Unleash its military machine to kill, destroy and commit massacres against civilians, and we have not heard from the international community condemnation and condemnation of such terrorist practices. Unfortunately, Israel has always found someone to grant it immunity and cover the crimes it commits against humanity on the land of Palestine.”³⁰⁷

Hamdan agrees with this opinion, as he believes that Hamas has no problem in dealing with any regional or international party, and that the only party that Hamas does not want to deal with is the Israeli occupation, as he says: "The Zionist entity is the only enemy of the Palestinian people and the resistance forces, including the movement Hamas, and its hostility to it is based on the fact that it is an occupier of the Palestinian lands and a usurper of the rights of the Palestinian people, and the movement accordingly has no problem in dealing with any regional or international party.”³⁰⁸

Although Hamas is an armed resistance movement, its political vision developed after the movement’s victory in the legislative elections in 2006. Youssef says: “Hamas (the movement and the government) was keen to deal with the political atmosphere that followed its victory in the legislative elections in January 2006 and put forward its political vision based on the idea of a long-term truce. It includes an Israeli withdrawal from the areas it occupied in 1967, in exchange for a comprehensive cease-fire, provided that all prisoners and detainees are released, and the right of return is dealt

³⁰⁷Dr. Ahmed, Yousef op. cit.

³⁰⁸Osama Hamdan, op. cit.

with in accordance with the UN resolution (UN-194) "³⁰⁹, Youssef emphasized the efforts made by Hamas and the government at that time to communicate with European and American parties to explain Hamas' political position, and had witnessed a better understanding of their political proposals and their vision of ending the occupation.³¹⁰.

However, after its success in the elections, Hamas' efforts to arrange the internal situation and communicate with the outside world collided with Western attempts for besieged Hamas is forced to submit to external dictates Hamdan says: "At this stage, the movement ran in the Legislative Council elections, the results of which surprised everyone with a great victory for the movement, as a result of which it won a comfortable majority of the seats in the Legislative Council.

Instead of responding to the will of the Palestinian people, the United States of America sought to besiege the movement's victory; What was known at the time as the "Quartet conditions" for dealing with any government formed or in which Hamas participates, and in the face of Hamas's refusal to do so, international, and regional parties intervened to prevent the formation of a national unity government that Hamas sought to form, and these parties bet on the movement's failure."³¹¹

Hamdan stressed that the most prominent thing that Hamas faced at this stage was the political siege imposed by the West on the Hamas government and the government of national unity.³¹² Despite the siege imposed on Hamas, there has been a development in Hamas's foreign relations with some European countries. Hamdan says: "At the international level, despite the blockade, the relationship has developed with the Russian Federation, and with a number of European countries that saw some of them

³⁰⁹Dr. Ahmed, Yousef op. cit.

³¹⁰ Ibid

³¹¹Osama Hamdan, op. cit.

³¹² Ibid

(Despite its membership in the European Union) that the decisions of the Union are binding on the institutions of the Union, and not on its member states.³¹³

In the same context, Youssef points out that the Hamas movement found that there is a desire to open up to Hamas from some European countries, despite EU's laws that prohibit member states from formal dealing with Hamas. He continues to say "We have realized since we started our meetings with some European parties, especially Switzerland and Norway, that there is a keenness to open up to Hamas, and a firm desire to deal with it politically. We knew that there are laws prohibiting the EU countries from formally dealing with the movement or the government that resulted in the movement's victory in the legislative election.

Therefore, we are satisfied that all our meetings and consultative dialogues remain behind the scenes, whether in the Gaza Strip or in some Arab and European countries, in the hope that Western countries will understand the correctness of our positions, and our true desire to search for a just solution to end the conflict and establish our free and independent state."³¹⁴

Yusef indicates that Hamas welcomed European demands to encourage democracy and protect human rights, and that Hamas expected the West to receive it with the same feelings. Nonetheless, the European view of Hamas was characterized by stereotyping, prejudice, and hostility but the movement's view of the West was - and still is - the need for interaction and understanding, and to stay away from the scene of conflict and confrontation.³¹⁵Yousef adds: "We welcomed the calls that were made in the West to encourage democracy and protect human rights, and we rejoiced in them, and we called not to view the West as an enemy. We hoped that the West would deal with us in the

³¹³ Ibid

³¹⁴Dr. Ahmed, Yousef op. cit.

³¹⁵ Ibid

same spirit and not through stereotypes and prejudices, but unfortunately, this did not happen³¹⁶.

Despite what was previously mentioned, there are indications that there are relations between Hamas and some European countries, but most of these relations are on official basis, and that there are many secret meetings between Hamas and many European countries.

Some European countries are responding to Hamas' demands to remove the name of Hamas from the list of terrorism, but in order to remove the name of Hamas from the list, the decision must be taken unanimously by the European countries, but there are some EU countries that fully comply with the policies of the American administration, where Hamdan says: "Hamas has been keen on a positive relationship with European countries, and perhaps it is premature to disclose these relations as a result of the mutual commitment between Hamas and these countries not to disclose these relations. It can be said that since 2006 we have been witnessing a growth and development in these relations, and there are countries that do not mind talking about these relations, such as Switzerland and Norway".³¹⁷

Youssef also agrees with this opinion, when he says: "A lot of the efforts were made with the Europeans behind the scenes, which made Europe realize that Hamas is a moderate movement that has legitimate national aspirations, and it deserves a chance, in order to get out of the stalemate, to achieve political stability within the Palestinian arena, as a requirement for the success of any peaceful settlement of the conflict.

The EU's problem with Hamas is not because it is an Islamic movement, as many European countries has no problem in dealing with Hamas, but the real problem is its

³¹⁶ Ibid

³¹⁷ Osama Hamdan, op. cit.

position on Israel. if the EU wants to build relations with Hamas, it must guarantee Israel's security, by ensuring Hamas's acceptance to stop striking Israel.

Finally, the European Union aims to tame Hamas by transforming it into a political movement. In other words, The Islamic movement should practice political work like other Palestinian factions without having military activities.

The Rsearcher Concludes the Following:

- The European Union and its states have succeeded in achieving some of its programmes, particularly with regard to raising awareness of human rights, democracy, the rule of law, and transparency, as well as reforming the judiciary and the Palestinian security services through training courses and workshops in cooperation with civil society institutions.
- Despite statements that support and promote democracy, reform and human rights in Palestine, the European Union and its member states did not show readiness to implement these policies on the ground and this was due to "pragmatic thinking".
The utilitarian realist paradigm that dominates European decision-making forces the EU to choose between preserving the economic and security interests of Europe, and between supporting the democracy and human rights programs promoted by the Commission and the European Parliament.
- The behaviour of the European Union in its preference to support security and stability at the expense of democracy and human rights can be interpreted as realistic approach that considers security and sovereignty a priority, even if it comes at the expense of democracy and human rights.

- The impact of European economic aid has been positively reflected on the performance of the economy as this assistance has contributed to raising the ability of the Palestinian Authority to carry out its duties in serving the Palestinian citizens, and the aid has also contributed to developing the infrastructure, and to developing the performance of civil and governmental institutions.
- European political interference in Palestine is rejected by Israel, so it comes in a specific context so that it does not conflict with Israeli and American interests in the region, and thus the European role remains constrained in the region, as it is almost confined to filling the void of the American role.
- the internal European divisions within the European Union impedes it from having an active role in the Israeli-Palestinian conflict
- All the Palestinians who were interviewed praised the European role in Palestine, but most of them indicated that the main goal of the Europeans is stability in the region, and that the security of Israel is among the most important goals of Europe in Palestine.
- EU's refusal of the results of the democratic elections and the adoption of the Quartet Committee's position, have contributed to the Palestinian division and aborted the democratic transition process in Palestine.
- The EU would not risk compromising the current Palestinian leadership as long as this leadership considers peace a strategic option. The fear of Hamas and its control over the West Bank also contributed to Europe's support for the current Palestinian leadership, in light of the former's refusal to accept the Quartet's conditions, which are recognition of Israel, renunciation of violence, and acceptance of the agreements signed with the Authority.

References

Interviews

Abu Yousef, Wasel, interview by author, Ramallah, 10.06.2020.

Al-Salhi, Bassam, interview by author, Ramallah, 15.07.2020

Ashrawi, Hanan, interview by author, Ramallah, 04.07.2020.

Dwaik, Ammar, interview by author, Ramallah, 09.06.2020.

Erekat, Saeb, interview by author (conducted by electronic correspondence), Ramallah,
08.07.2020.

Khatib, Ghassan, interview by author (conducted by electronic correspondence),
Ramallah, 25.07.2020.

Majdalani, Ahmed, interview by author, Ramallah, 27.06.2020

Naseef, Khaled, interview by author, Ramallah, 06.07.2020.

Osama Hamdan, a written interview (conducted by electronic correspondence) conducted by Dr. Mohsen Muhammad Salih, and the text was approved by Osama on 03.03.2014, and it was published in the book "The Islamic Resistance Movement Hamas: Studies in Thought and Experience", which was edited by Prof. Dr. Mohsen Muhammad Saleh, whose Arabic text was issued by the Zaytuna Center for Studies and Consultations in Beirut in 2014. Accessed 22.12.2020 <https://www.alzaytouna.net>. Al-Azhar University Journal, Human Sciences Series, June 2011, Volume 13, No. 1 (C).

Salama, Stephen, interview by author, Ramallah, 16.07.2020.

Shaath, Nabil, interview by author, Ramallah, 16.06.2020.

Sourani, Raji, interview by author, Ramallah, 06.07.2020.

Younes, Issam, interview by author, Ramallah, 01.09.2020.

English References

- Amnesty (2009). UN vote on goldstone report a defining step for accountability, says amnesty international. New York Amnesty International
- Aslan, O. (2009). The EU's Position on the Palestinian-Israeli Conflict: Still Foreign Policy Without Tears and Divided? Journal of Turkish Weekly (JTW).
- Asseburg, M. (2003b). The EU and the Middle East Conflict: Tackling the Main Obstacle to Euro-Mediterranean Partnership. Mediterranean Politics, 8 (2&3) 174 - 193.
- Asseburg, M. (2003). The EU and the Middle East Conflict: Tackling the Main Obstacle to Euro-Mediterranean Partnership. Mediterranean Politics,8. 174-193. p.178.
- Balaam, D.N., Michael V. 2005. Introduction to International Political Economy, London, Pearson, 55- 57.
- Behr, T. (2008). Enduring Differences? France, Germany and Europe's Middle East Dilemma. Journal of European Integration, 30 (1) 79 - 96.
- Braun, V. and Clarke, V. (2006) 'Using thematic analysis in psychology'. Qualitative Research in Psychology, 3(2).

Brown, N. (2002). *The Palestinian Reform Agenda* Peace Works No. 48. Washington DC: United States Institute of Peace.

Brown, N. (2007). *Requiem for Palestinian Reform. Clear Lessons from a Troubled Record.* Carnegie Endowment for International Peace, Carnegie Paper No. 81.

Buzan, B. (1995). *The Level of Analysis Problem in International Relations Reconsidered.* In K. Booth & S. Smith (Eds.), *International Relations Theory Today.* Cambridge: Polity Press.

Buzan, P., Charles J. and Richard L. 1993. *The Logic of Anarchy: Neorealism to Structural Realism,* Columbia University Press.

Coetzee, Eben. and Heidi Hudson. 2012. *Democratic Peace Theory and the Realist-Liberal Dichotomy: The Promise of Neoclassical Realism?* *Politikon, South African Journal of Political Studies*, 39 (2,1).

Doyle, M.W. 1999. "On the Democratic Peace", *International Security*, 19(4).

European Commission. (1995). *EU-Israel association agreement.* Official Journal of the European Community's Euro-Mediterranean Agreement.

European Parliament resolution of 10 April 2002 on the Middle East (2002), OJ C 127E/584.

- Gianniou, M. (2006). The European Union's involvement in the Israeli-Palestinian conflict: an active paradigm of European foreign policy? In the European Consortium for Political Research 3rd Pan-European Conference on EU Politics, Istanbul: Bilgi University.
- Gillespie, R. and Youngs, R. (2002). Themes in European Democracy Promotion. *Democratization*, 9(1).
- Hooper, R. (1999). The International Politics of Assistance to Palestinians in the West Bank and Gaza Strip, 1993–1997. In Roy, S. (Ed.) *The Economics of Middle East Peace: A Reassessment*. Stanford, CA: JAI Press.
- Hyde-Price, A. (2006). “Normative Power Europe: A Realist Critique”, *Journal of European Public Policy*, 13 (2006). Cited in Al-Fattal, R. (2010). *The Foreign Policy of the EU in the Palestinian Territory CEPS Working Document 328/May 2010*.
- Jamal, A. (2001). State-Building, Institutionalization and Democracy: The Palestinian Experience, *Mediterranean Politics*, 6 (3) 1-3.
- Jünemann, A. (2003). Security-Building in the Mediterranean after September 11. *Mediterranean Politics* 8, 1-20.
- Kant, I. 1991. *political Writings*, ed. Hans Reiss, Cambridge University Press.

Kausch, K. (2009). Europe's Engagement with Moderate Islamists. In Emerson, M. Kausch, K. and Youngs, R. (Eds.) *Islamist Radicalisation: The Challenge for Euro-Mediterranean Relations*, Madrid: Fride.

Kausch, Kristina, David Mathieson, Iren Menendez, Richard Youngs, Jeroen de Zeeuw (2006).

Keohane, D. (2008). The Absent Friend: EU Foreign Policy and Counter-Terrorism. *Journal of Common Market Studies (JCMS)*, 46 (1) 125–146.

Keohane, R. O. 1991, *International Institutions and State Power: Essays in International Relations Theory*, Boulder, Col, West view, 2ed.

Keohane, Robert O. 1941-. *Neorealism and Its Critics*. New York: Columbia University Press, 1986.

Khatib, K. (2009). *How Promotion of Political Reform by the European Union is Perceived in the Arab World: The Cases of Lebanon and the Palestinian Territories*.

Stockholm: International Institute for Democracy and Electoral Assistance.

Lyons, K. (2009). *The EU: An International Agent in Palestine?* Palmerstone North, New Zealand: Massey University.

- McFaul, M. (2004). Democracy Promotion as A World Value. *The Washington Quarterly* 5 (56).
- Morgenthau, Hans J. (Hans Joachim) 1978, *Politics among nations: the struggle for power and peace*, 5th ed., rev, Knopf, New York.
- Morlino, L. (1998). *Democracy between Consolidation and Crisis: Parties, Groups and Citizens in Southern Europe*. Oxford: Oxford University Press.
- Nye, J.S and Robert K. 1977. *Power and Interdependence*, Boston, Little-Brown.
- Nye. J.S. 2010. *The Future of Power*, Kindle Edition, 77-79. Nye, J.S and Robert K. 1977. *Power and Interdependence*, Boston, Little-Brown.
- Pace, M. (2008). *Notions of 'Europe'. Where does Europe's Southern Periphery Lie?* Paper given at the Annual Meeting of the International Studies Association. USA: Palgrave Macmillan.
- Pace, M. (2009). Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization* 16(1): 39-58.
- Palestinian Centre for Policy and Survey Research. (2007). *Palestinian Public Opinion Poll* (23).

- Rubin, R. (2006). What went wrong? Transitions to democracy in the Palestinian Authority. *Peace, Conflict & Development* (9).
- Shikaki, K. (1996). The Peace Process, National Reconstruction, and the Transition to Democracy in Palestine *Journal of Palestinian Studies*. 25 (2).
- Shu'aybi, A. and Shikaki, K. (2000) A Window on the Workings of the PA: An Inside View. *Journal of Palestinian Studies*, 30 (1) 88-97.
- Smith, J. and Firth, J. (2011) 'Qualitative data analysis: application of the framework approach'. *Nurse Researcher*, 18(2).
- Stetter, S. (2003). 'Democratization without Democracy? The Assistance of the European Union for Democratization Processes in Palestine', *Mediterranean Politics*, 8 (2), 153 - 173.
- The Palestinian Centre for Human Rights. (2003) *Human Rights in the Palestinian Occupied Territories. Gaza: The Status of Palestinian Citizens' Rights*.
- TUASTAD, DAG. "The Role of International Clientelism in the National Factionalism of Palestine." *Third World Quarterly* 31, no. 5 (2010): 791-802.
- Union Committee, House of Lords. (2006). *European Union Committee 26th Report of Session, the EU and the Middle East Peace Process. Volume I: Report*. London: House of Lords.

Viotti, P. and Mark K. 2010. International Relations Theory, 4th ed, London, Pearson.

Youngs, R. (2002). The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy. *Democratization*, 9, (1) 40-62.

Youngs, R. (2006a). Europe and the Middle East in the Shadow of September 11. London: Lynne Rienner Publishers.

Youngs, R. (2003). European Approaches to Security in the Mediterranean. *Middle East Journal*, 57 (3).

Youngs, Richard, Kristina Kausch, David Mathieson, Irene Menendez and Jeroen De Zeeuw. (2006). Survey of European Democracy Promotion Policies 2000-2006. Madrid: FRIDE.

Arabic references:

أبو الخير أحمد عطية عمر، النظام المؤسسي للاتحاد الأوروبي، دار النهضة العربية القاهرة،
2007.

انور الهواري،"الناتو الجديد ومستقبل الأمن الأوروبي"، السياسة الدولية، العدد 129 جويلية
1997.

بسيوني هاشم عبد الرؤوف، المفوضية الأوروبية : الحكومة المركزية للاتحاد الأوروبي، دار
النهضة العربية، القاهرة، 2005.

بيليس جون وسميث ستيف (2004)، عولمة السياسة العالميّة، ترجمة ونشر: مركز الخليج للأبحاث، دبي، ط 1.

بيليس، جون، 2004م، الأمن الدولي في حقبة ما بعد الحرب الباردة، في: عولمة السياسة العالمية، جون بيليس وستيف سميث، ترجمة ونشر مركز الخليج، دبي.

جمال عبد الناصر مانع، التنظيم الدولي، النظرية العامة والمنظمات العالمية والإقليمية والمتخصصة، دار العلوم للنشر والتوزيع، عنابة – الجزائر، 2006.

جواس حسن رسول، البرلمان الأوروبي طريق إلى التكامل الإقليمي، رسالة دكتوراه، كلية الحقوق الجامعة اللبنانية، بيروت ، 2013.

جون بيندر وسايمون أشروود: الاتحاد الأوروبي، تر، خالد غريب علي، ط1، مؤسسة هنداوي للتعليم والثقافة، القاهرة، 2015.

جيمس دورتي، روبرت بالاستغراف، النظريات المتضاربة في العلاقات الدولية، بيروت: كاظمة للنشر والترجمة والتوزيع، ديسمبر 1985.

الحبيب أنفاذ: "نظام الإتحاد الأوروبي المؤسسات السياسية"، مطبعة الجسور، وجدة، 2009.

حسن نافعة، البناء المؤسسي للاتحاد الأوروبي، مجلة السياسة الدولية، عدد 157، 2004.

حسين طلال مقلد : محددات السياسة الخارجية والأمنية الاوربية المشتركة، مجلة جامعة دمشق للعلوم الاقتصادية والقانونية، المجلد (25)، العدد (1)، دمشق، 2009.

خالد الحروب، حماس الفكر والممارسة السياسية، (بيروت: مؤسسة الدراسات الفلسطينية: تشرين ثاني 1996).

خضر بشارة : أوروبا والوطن العربي: القرابة والجوار، ترجمة جوزف عبدا الله ، بيروت، مركز دراسات الوحدة العربية، 1993.

خضر بشارة : أوروبا وفلسطين من الحروب الصليبية حتى اليوم.

- خليل حسين ، " المنظمات القارية و الإقليمية "، بيروت دار المنهل اللبناني.
- د. ريمون حداد، العلاقات الدولية، دار الحقيقة، بيروت، الطبعة الأولى، 2000.
- دن، تيموثي، 2004، الواقعية، في: عولمة السياسة العالمية، جون بيليس وستيف سميث، ترجمة ونشر مركز الخليج، دبي.
- زياد شفقان الضرابعة، الإتحاد الأوروبي والقضية الفلسطينية، دار الحامد للنشر والتوزيع، عمان، 2010.
- سعيد نوفل، احمد. "توجهات الاتحاد الأوروبي نحو القضية الفلسطينية وعملية السلام"، دراسات شرق أوسطية، العدد 25 ، 2003.
- سميث، ستيف، 2004، مقاربات جديدة للنظرية الدولية، في: عولمة السياسة العالمية، جون بيليس وستيف سميث، ترجمة ونشر مركز الخليج، دبي.
- سمير صارم: اليورو، ط1، دار الفكر المعاصر، لبنان، 1999.
- صدام مرير الجميلي: الاتحاد الاوروبي ودوره في النظام العالمي الجديد، ط1، دار المنهل اللبناني، لبنان، 2009.
- صلاح الدين حسن السيبي، الاتحاد الأوروبي و العملة الأوروبية الموحدة (اليورو) القاهرة : عالم الكتب، ط 1، 2003 .
- عامود أبو محمد، البناء المؤسسي للاتحاد الأوروبي، مجلة السياسة الدولية، عدد 157، 2004.
- عبد الله أبو عيد وآخرون، دراسة في الفكر السياسي لحركة حماس 1987-1996). عمان: مركز دراسات الشرق الأوسط، ط2، 1998) .
- عبد العظيم الجنزوري، الأسواق الأوروبية المشتركة والوحدة الأوروبية، القاهرة، دار المعارف.
- عبد المطلب عبد الحميد: النظام الاقتصادي العالمي الجديد و آفاقه المستقبلية بعد أحداث 11 ديسمبر، ط 1 ، مجموعة النبل العربية، مصر، 2003.

عبد المنعم سعيد، الجماعة الأوروبية تجربة التكامل والوحدة، مركز دراسات الوحدة العربية، بيروت، 1986.

عبد الوهاب بن خليف، الاتحاد الأوروبي في الميزان الفرنسي الألماني، دار قرطبة، الجزائر، 2009.

عبد الوهاب محمد اسماعيل العمراني، الاتحاد الأوروبي و العلاقات اليمينية الأوروبية، دار الشروق للنشر و التوزيع، عمان (الأردن)، 2011.

علي الحاج: سياسات دول الاتحاد الأوروبي في المنطقة العربية بعد الحرب الباردة، رسالة دكتوراه، بيروت، مركز دراسات الوحدة العربية، 2003 .

علي صادق ابو هيف، القانون الدولي العام، دون طبعه، منشاه المعارف، الاسكندرية، مصر، 1995 ، ص 610 .

عميرة محمد سعيد ، واقع وأفاق ماستريخت ، عمان ، 1994 .

فوزي صلوح: مقاربات دبلوماسية لنزاعات إقليمية ودولية، ط1 ، دار المنهل اللبناني، لبنان، 2006 .

قربان، ملحم، 1981، الواقعية السياسية، المؤسسة الجامعة للدراسات والنشر، بيروت.

كارل دوينتش: تحليل العلاقات الدولية، ترجمة: شعبان محمد، الهيئة العامة للكتاب، القاهرة ١٩٨٣ .

اللاوندي، سعيد. "ضوابط ومحددات: الدور الأوروبي في منطقة الشرق الأوسط." شؤون عربية: جامعة الدول العربية - الأمانة العامة ع 129 (2007).

مجلة دراسات شرق أوسطية، هيئة التحرير: السياسة الخارجية الأوروبية والمحدد الأمريكي، السنة العاشرة، العدد 31 ، 2005.

محمد توفيق عبد المجيد: العولمة والتكتلات الاقتصادية اشكاليه التناقض ام التصادم في القرن

الحادى والعشرين، ط1، دار الفكر الجامعي، مصر 2013.

محمد ربيع وإسماعيل مقلد، موسوعة العلوم السياسية، جامعة الكويت، 1994.

محمد فايز فرحات: الإقليمية الجديدة وتطبيقاتها: دراسة حالي الأبك وتجمع المحيط الهندي،

رسالة ماجستير مقدمة لكلية الاقتصاد والعلوم السياسية جامعة القاهرة، 2001.

محمد محمود الإمام: تجارب التكامل العالمية و مغزاها للتكامل العربي، ط1، مركز الدراسات

الوحدة العربية، لبنان، 2004.

محمد مصطفى كمال، د.فؤاد نهرا، صنع القرار في الاتحاد الأوروبي والعلاقات العربية

الأوروبية، بيروت مركز دراسات الوحدة العربية، 2001.

مخلد المبيضين: محددات السياسة الأوروبية تجاه عملية التسوية الإسرائيلية الفلسطينية بعد معاهدة

ماستريخت عام 1993، مجلة المنارة، المفرق، الاردن، جامعة اهل البيت، المجلد

13، العدد 4، 2007

معماش صلاح الدين، القانون الأوروبي لحقوق الإنسان بين النظرية والتطبيق، مذكرة ماجستير،

جامعة الجزائر، كلية الحقوق - بن عكنون - ، 2006 - 2007.

نظام بركات وآخرون. مبادئ علم السياسة. الطبعة الثالثة. الرياض: دار الكرمل للنشر

والتوزيع 1989، ص 107

نوفل، احمد. "توجهات الاتحاد الأوروبي نحو القضية الفلسطينية وعملية السلام"، دراسات

شرق أوسطيه، العدد 25، 2003.

Websites References

وزارة المالية، "تقرير العمليات المالية الشهرية" دولة فلسطين وزارة المالية و التخطيط. تاريخ الدخول

<http://www.pmf.ps/pmf/internal.php?var=11&tab=01> .16.11.2020

- يوسف , احمد: أوروبا وحماس واتهامات الإرهاب: تساؤل برسم الإجابة؟, samanews, 02.02.2015, <https://samanews.ps/ar/post/226838>, تاريخ الدخول 16.11.2020.
- Al – Darsouni, Fahd bin Nasser: Foreign Policy and theories of International Relations between Concept and Practice 24.06.2016.
https://fahadaldarsony.blogspot.com/2016/05/blog-post_86.html. Access date: February 22, 2019.
- Al-Fattal, R. (2010). The Foreign Policy of the EU in the Palestinian Territory. CEPS Working Document No. 328/May 2010. Retrieved from http://aei.pitt.edu/14582/1/WD328_Al-Fattal_on_EU_FP_in_Palestine.pdf. Access date: 01.12.2019.
- Al-Nuaimi, Ahmed Nouri, Modern Structuralism in International Relations, Journal of Political Science, Issue 46, University of Baghdad, 2013.
<https://www.iasj.net/iasj?func=fulltext&aId=76507>, Access date: February 22, 2019.
- Archick, Kristin & Mix, Derek E.: **The United States and Europe: Responding to Change in the Middle East and North Africa**,
<https://www.files.ethz.ch/isn/165485/210923.pdf>, access date 22.12.2020
- Baracani, E. (2008). The European Union and Democracy Promotion: A Strategy of Democratization in the Framework of the Neighbourhood Policy? (Doctoral dissertation, University of Florence, 2008). Retrieved from <http://www.fscpo.unict.it/EuroMed/baracani.pdf>. . Access date: 29.11.2019
- Borger, J. (25.06.2002). Bush says Arafat must go. *The Guardian*. Retrieved from <https://www.theguardian.com/world/2002/jun/25/usa.israel>. Access date: 24.12.2019.

Brown, N (2007). Requiem for Palestinian Reform: Clear Lessons from a Troubled Record In: Carnegie Papers No. 81. February 2007Carnegie Endowment for International Peace. Retrieved from:

http://www.carnegieendowment.org/files/cp_81_palestine_final.pdf. Access date: 30.11.19.

Collantes, G. Lecha, A. Reigeluth, S. Aytar, V. & Arican, M. (2008). Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences. Euro Mescosco Paper (66).

<https://www.euromesco.net/wp-content/uploads/2017/10/200801-EuroMeSCo-Paper-1.66.pdf>. Access date: 24.12.2019

Egenhofer, Christian. "**The Ever-Changing Union an Introduction of the History, Institutions and Decision-Making Processes of the European Union**". Center for European Policy Studies, Brussels, 2011, <https://www.ceps.eu/wp-content/uploads/2011/04/Ever-Changing%20Union%20e-version.pdf> accessed 23.11.19.

Eneko Landaburu, "Hard Facts About Europe's Soft Power," Europe's World, Summer 2006. <https://www.friendsofeurope.org/global-europe/hard-facts-about-europes-soft-power>. . Access date: January 10, 2019.

EU Council Secretariat (2008). The European Union and the fight against terrorism. EU Council Secretariat Factsheet. Brussels, 14 May 2007. Retrieved from : <http://www.consilium.europa.eu/uedocs/cmsUpload/FactsheetfightagainstterrorismENrev1.pdf>. Access date: 30.11.19.

EU General Affairs and External Relations Council Conclusions. (2006, January 30-31)
Retrieved from: <https://www.un.org/unispal/document/auto-insert-201157/> . Access date: 21.12.2019.

EU Parliamentary Assembly. (2010, January 11) *The Situation in the Middle East*.
Parliamentary Assembly, Political Affairs Committee, Retrieved from:
https://reliefweb.int/sites/reliefweb.int/files/resources/C8741488A16583C4492576B90009B0D5-Full_Report.pdf. Access date: March 22, 2020.

European Commission (2007). *The European Union: Furthering Human Rights and Democracy across the Globe*. op. cit. **The Ever-Changing Union an Introduction of the History, Institutions and Decision-Making Processes of the European Union**,
https://ec.europa.eu/europeaid/sites/devco/files/publication-furthering-human-rights-worldwide-2007_en_0.pdf. Accessed 23.11.19

European Commission. (2004). COMMISSION STAFF WORKING PAPER, European Neighbourhood Policy, Country Report, *Palestinian Authority of the West Bank and Gaza Strip*. {COM(2004)373 final} Retrieved from
<https://www.refworld.org/pdfid/4153e6d54.pdf>. Access date: 17.12.2019.

European Commission. (2007). The EU's relations with West Bank and Gaza Strip.
Retrieved from Europa,
http://ec.europa.eu/comm/external_relations/gaza/intro/index.htm. Access date:
01.12.2019.

European Commission. (2007). *The European Union: Furthering Human Rights and Democracy Across the Globe* European Commission External Relations: European Union. Retrieved from:

http://www.eeas.europa.eu/human_rights/docs/brochure07_en.pdf. Access date: 29.11.2019.

European Commission. (2008). *Communication from The Commission to The European Parliament and The Council Implementation of the European Neighbourhood Policy in 2008 Progress Report the Occupied Palestinian Territory*, SEC (2008). Retrieved from

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52008SC0400>. Access date: 16.12.2019.

European Commission. (2009). *Communication from The Commission to The European Parliament and The Council Implementation of the European Neighbourhood Policy in 2009 Progress Report on the Occupied Palestinian Territory*. 519(2) Retrieved from http://ec.europa.eu/world/enp/pdf/progress2008/com08_164_en.pdf. Access date: 17.10.2019

European Council (2005) *The European Union Strategy for Combating Radicalisation and Recruitment to Terrorism*, 14781/1/05 REV 1, Retrieved from: <https://www.msz.gov.pl/resource/466d2bf9-c927-402d-9310-f0a25eb21d61>. Access date: 21.12.2019

European Council, Council of the European Union,

<https://www.consilium.europa.eu/en/european-council/>, accessed 16.11.2019 .

European Council. (2000). *Common Strategy of the European Council on the Mediterranean Region*. (Brussels: 2000/458/CFSP, Official Journal of the European Communities. Retrieved from : <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex%3A32000E0458>. Access date: 30.11.19.

European Instrument for Democracy & Human Rights (EIDHR):

https://ec.europa.eu/europeaid/how/finance/eidhr_en.htm. Access date: March 2, 2019

European Parliament. (2007). *European Parliament resolution of 10 May 2007 on reforms in the Arab world: what strategy should the European Union adopt?* Retrieved from <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2007-0179+0+DOC+XML+V0/EN>. Access date: June 22.12.2019.

European Union Committee, House of Lords. 26th Report of Session 2006–07. *European Union Committee 26th Report of Session, the EU and the Middle East Peace Process*. Volume I: Report. London: House of Lords.p.

<https://publications.parliament.uk/pa/ld200607/ldselect/lducom/132/132i.pdf>. Access date: 24.12.2019.

Foreign Policy Actor. CEPS Working Document No. 281/January 2008. retrieved from: <http://aei.pitt.edu/7582/1/Wd281.pdf> Access date: 24.12.2019.

Human Rights Watch: Two Authorities, One Way, Zero Dissent, Arbitrary Arrest and Torture Under the Palestinian Authority and Hamas,

<https://www.hrw.org/report/2018/10/23/two-authorities-one-way-zero-dissent/arbitrary-arrest-and-torture-under>, access date: 16.10.2019.

Lempkowicz, Y. (2006). France supports Russian invitation to Hamas. *European Jewish Press*. <https://ejpress.org/france-supports-russian-invitation-to-hamas-4/> . Access date: 15.12.2019.

Miller, R. (2007). Why the European Union Finally Sidelined Hamas.

<https://www.jewishpolicycenter.org/2007/08/31/why-the-european-union-finally-sidelined-hamas/>. Access date: 15.12.2019.

Moore, Chris "Carter: Hamas to accept peace, under conditions." Farnce24, April 21, 2008. <https://www.easybib.com/guides/citation-guides/chicago-turabian/how-to-cite-a-newspaper-chicago-turabian/> . Accessed 21.12.2020

Nasser, N. (2006, September 6th). Western Donors to Palestine: What Mission? Aid has turned into a tool which supports Israeli ambitions. *Global Research*. Retrieved from <http://www.globalresearch.ca/index.php?context=va&aid=3161>. Access date: 17.12.2019.

Nathalie Tocci, Hakim Darbouche, Michael Emerson, Sandra Fernandes, Ruth Hanau-Santini, Gergana Noutcheva and Clara Portela, 2008. The European Union as a Normative Foreign Policy Actor. *CEPS Working Document No. 281/January 2008*. retrieved from: <http://aei.pitt.edu/7582/1/Wd281.pdf>. Access date: 24.12.2019.

Official Journal of the European Union <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0085:0094:EN:PDF>.
Access date: 02.03.2019.

Patten, C. (2009). Writing cheques for Gaza is easy. Politics is the tricky bit: it is time to question Europe's historic role of financing the failure of policies laid down in Israel and the US. *The Guardian*
<https://www.theguardian.com/commentisfree/2009/jan/27/gaza-israel-hamas-eu-us>.
Access date: 24.12.2019

Siegman, H., Sayigh, Y., and Shikhaki, K. (2006). *Reforming the Palestinian Authority, concluding report*. A Report by the Independent Task Force for the Strengthening of Palestinian Public Institutions.: A publication of the US/Middle East Project.
https://www.usmep.us/media/filer_public/71/31/71317a98-cf12-432a-97b5-

[7d35e05123b6/reforming_the_palestinian_authority_concluding_report_2006.pdf](#).

Access date: 24.12.2019.

Solana, J. (18.12.2005). EU threatens to block aid to PA if Hamas wins election. *The Hub of Middle East, Al Bawaba*. Retrieved from <https://www.albawaba.com/news/eu-threatens-block-aid-pa-if-hamas-wins-election>. Access date: 19.12.2019.

Sternhell, Zeev. "The Holocaust as a Pretext for Annexation." *Haaretz*, January 31, 2020. <https://www.haaretz.com/opinion/.premium-the-holocaust-as-a-pretext-for-annexation-1.8472451>. Accessed 20.07.2020

The "Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part" Official Journal L 187 , 16/07/1997. [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21997A0716\(01\):EN:HTM](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21997A0716(01):EN:HTM) .

Access date: 30.11.19.

The European Commission. (2009). Helping to Build Palestinian State Promoting Good Governance and the Rule of Law. Retrieved from http://eeas.europa.eu/delegations/westbank/documents/eu_westbank/governance_en.pdf.

Access date: 01.12.2019.

The Palestinian Centre for Human Rights May (2003) the Annual Report For 2002.

Available at:

http://www.pchrgaza.org/files/Reports/English/pdf_annual/ann_rep_02.pdf. Access

date 18.12.2019.

UNISPAL (United Nations Information System on the Question of Palestine). (2009, December) *Press Release by the European Commission on the Issue of the Palestinian Elections, 19 January 1996*. Retrieved from

<http://unispal.un.org/UNISPAL.NSF/0/C67AF1DCCFD65FDF85256329006C0D0C>.

Access date: 01.12.2019 .

Yacoubian, M. (2004). *Promoting Middle East Democracy European Initiatives*. Washington, DC: U.S. Institute of Peace. Retrieved from

<http://purl.access.gpo.gov/GPO/LPS59638>. Access date: 29.11.2019.

Youngs, R. (2007). The European Union and Palestine: A New Engagement. *Open Democracy*. https://www.opendemocracy.net/en/union_engagement_4485jsp/. Access

date: 24.12.2019.

Appendixes

Appendix A: Sample Questions:

1. How do you evaluate the European political role in Palestine and the Middle East?
2. How do you evaluate the European economic role in Palestine and the Middle East?
3. In your opinion what are the main European goals in Palestine?
4. Did Europe achieve its announced goals? Why? If No, Why?
5. How do you evaluate the history of the Palestinian European before and after Oslo?
6. Do the European- Israeli relationships affect the Palestinian European relationship?
7. Do the European- American relationships affect the Palestinian European relationship?
8. Can Europe play the role of the mediator in the Middle East?
9. Can Europe play its role in the Middle East away from Israel?
10. Can Europe play its role in the Middle East away from America? If yes, what are the requirements. If No, Why?
11. Did Europe achieve the Palestinian political development? How? Why? Where?
12. What are the motivations driving Europe promote democracy and human rights?
13. What is your opinion about the European efforts to promote democracy and human rights and institutions' establishment before the establishment of the Palestinian state?
14. Why did Europe refuse to recognize Hamas's government?
15. On the 18th of August, 2007, Hania took the constitutional oath as the new Prime Minister of the National Unity Government which composed of Hamas Fatah and

other factions' members. The International community refused it including the EU to deal with it or recognize any government in which Hamas in unless accepting the terms of the Quartet. These terms are casting violence, recognizing Israel, and respecting past agreements with Israel and peace process, do you think this position contributed in the division?

16. As a result of Hamas's refusal of the conditions of the Quartet, the EU froze its direct aids to the PA establishing a new method called TIM) aiming at passing Hamas's government, do you think that this position is a proof that the goal of the EU is promoting security and peace process not democracy and translucency?
17. Do you think the European aids to Palestine are distributed fairly, are there allegation that they focus on security?
18. Do you think that the main interest of the EU in the PA 's land is stability through peace process in the West Bank and the EU won't accept recognizing any leadership that doesn't accept embracing the European vision of peaceful settlement?

For the Palestinian political parties, the same questions were posed to them in addition to four questions

1. Do you think that the support the PA (Fatah) received after Oslo contributed in a direct way of the establishment of a political system controlled by one faction?
2. What do the conditions of the EU of funding the Palestinian civil institutions considering them terrorists from those funds?
3. How do you explain the acceptance of the factions of the PLO the rule of Fatah of the political decisions?

4. Many people demanded the reorganization of the Palestinian Islamic and national factions to unite? What do you think about the relative unfair representation in the PLO? Secondly, was the PLO has been marginalized since the establishment of the PA?

Appendix B: letter of facilitation under AAUP for performing the research:

Arab American University
Faculty of Graduate Studies



الجامعة العربية الأمريكية
كلية الدراسات العليا

11-2-2020

الى من يهمه الامر

تسهيل مهمة بحثية

تحية طيبة وبعد،

تهديكم الجامعة العربية الأمريكية اطيب التحيات، وبالإشارة الى الموضوع اعلاه، تشهد كلية الدراسات العليا في الجامعة أن الطالب احمد سمير احمد الحسيني والذي يحمل الرقم الجامعي 201712669 هو طالب ماجستير في الجامعة العربية الأمريكية تخصص حل صراع وتنمية، ويعمل على دراسة علمية في مجال الديمقراطية وحقوق الانسان تحت اشراف د. امجد أبو العز، نأمل من حضرتكم الإيعاز لمن يلزم لمساعدته للحصول على المعلومات اللازمة للدراسة، علماً ان المعلومات ستستخدم لغاية البحث فقط وسيتم التعامل معها بغاية السرية، وقد أعطي هذه الرسالة بناءً على طلبه.

وتفضلوا بقبول فائق الاحترام

عميد كلية الدراسات العليا

د. عبد الرحمن أبو ليدة



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Appendix (c) Tables

Table 1: Names of interviewees, their Position, location of the interview and the method of conducting the interview

Nr.	Name	Position	Place	Method
1.	Ahmed Majdalani	Minister of Social Development	Office of the Palestinian Popular Struggle Front (PPSF)	Personal Interview
2.	Ahmed Yousef *	political advisor to the dismissed Palestinian Prime Minister	-	-
3.	Ammar Dwaik	Director General of the Independent Commission for Human Rights	office	Personal Interview
4.	Bassam Al-Salhi	secretary general of the Palestinian People's Party (PPP)	PLO office	Personal Interview
5.	Ghassan Khatib	Minister of Labor in 2002 and Minister of Planning (2005-2006)	conducted by electronic correspondence	email
6.	Hanan Ashrawi	member of the Executive Committee of the PLO in 2009 and 2018. she founded the Independent Commission for Human Rights, MIFTAH and AMAN. She serves on the advisory and international boards of several global, regional and local organizations	online	Via Skype
7.	Issam Younes	Director General of Al Mezan Center for Human Rights	online	Via Skype
8.	Khaled Naseef	General Manager of Ramallah Center for Human Rights Studies	online	Via Skype
9.	Nabil Shaath	Between 1992 and 1995, Dr. Shaath was the PLO's Chief Negotiator with Israel, before being appointed to Palestinian Authority ministerial roles in	home	Personal Interview

		Foreign Affairs, Planning and International Co-operation. Between 2005 to 2006, he was also Deputy Prime Minister and Acting Prime Minister		
10.	Osama Hamdan*	senior representative of Hamas in Lebanon and is a member of the organization's politburo	-	-
11.	Raji Sourani	a human rights lawyer in Gaza Strip, he is director of the Palestinian Centre for Human Rights in Gaza	online	Via Skype
12.	Saeb Erekat	was secretary general of the PLO Executive Committee and chief Palestinian negotiator with Israel and was member of Fatah's Central Committee	conducted by electronic correspondence	email
13.	Saleh Ra'fat	Member of the Executive Committee of the PLO, member of the National and Central Councils of the PLO, Head of the Military and Security Department of the Executive Committee. - Secretary General of the Palestinian Democratic Union (PDA)	PLO office	Personal Interview
14.	Stephen Salama	the head of the Planning, Policy and Aid Coordination Unit in the Prime Minister's Office	Prime Minister Office	Personal Interview
15.	Wasel Abu Yousef	Secretary-General of Palestinian Liberation Front (PLF). In May 2018, he was elected to the PLO's Executive Committee	PLO office	Personal Interview

المخلص

هدفت هذه الدراسة إلى مناقشة دور الاتحاد الأوروبي في دعم الديمقراطية وحقوق الإنسان في فلسطين ، ومساهمة هذا الدعم في تطوير الحياة الديمقراطية واحترام حقوق الإنسان في فلسطين. لقد وضع الإتحاد الأوروبي منذ عام 1991 مبادئ نشر وتعزيز الديمقراطية وحقوق الإنسان والإصلاح على رأس أولويات سياسته الخارجية ، و ينفق الإتحاد الأوروبي مئات الملايين من ميزانيته السنوية للترويج للديموقراطية وحقوق الإنسان حول العالم.

على الرغم من أن الاتحاد الأوروبي أبدى رغبة واهتمامًا في نشر الديمقراطية والإصلاح في فلسطين وإسرائيل ، إلا أن الاتحاد الأوروبي لم يبدي استعدادًا حقيقيًا لتطبيق هذه السياسات على الأرض أو لفرضها على شركائهم. يشير السلوك السياسي للاتحاد الأوروبي وأعضائه إلى أن الاتحاد الأوروبي يميل إلى دعم مصالحه السياسية والأمنية والتجارية على حساب التزاماته بدعم الديمقراطية وحقوق الإنسان. ومن أجل تقييم التجربة الأوروبية في دعم الديمقراطية و حقوق الانسان في فلسطين من وجهة نظر فلسطينية تم اجراء 14 مقابلة نخبة فلسطينية، أظهرت نتائج البحث ان هناك تقديرا فلسطينيا للدعم الاقتصادي المقدم من الاتحاد الاوروبي، و رغبة فلسطينية بزيادة الدور السياسي، وايضا رغبة فلسطينية بان يتخذ الاتحاد الاوروبي خطوات اكثر جدية في التعامل مع الإنتهاكات الاسرائيلية المتكررة للديمقراطية و حقوق الانسان.

لقد خلصت الدراسة الى انه و على الرغم من التصريحات الاوروبية لدعم وتعزيز الديمقراطية والإصلاح وحقوق الإنسان في فلسطين، الا أن الإتحاد الأوروبي ودوله الأعضاء لم يظهروا الإستعداد الكافي لتنفيذ هذه السياسات على أرض الواقع و هذا مرده الى"التفكير البراغماتي المصلحي النفعي"الذي يسيطر على صانع القرار الأوروبي، وعلي الرغم من محاولة الإتحاد الأوروبي الموازنة بين اهدافه لتعزيز الديمقراطية وحقوق الإنسان والاصلاح من جهة وبين مصالحه الامنية والتجارية والاقتصادية من جهة اخري، حيث نلاحظ ان هناك صراعا بين القيم الليبرالية والقيم البراغماتية المنفعية مما يجعل الإتحاد الأوروبي لاعب واقعي بتياب ليبرالية.