

Transcript

This is about the Palestinian elections back in 1996.

Palestine was an internationally recognized national territory comprising of the West Bank with East Jerusalem and the Gaza Strip. Palestine has had elections in 1996, 2004, which was a local election, 2005 and 2006, and I was present in all of them, but in different roles. The 1996 elections followed the signing of the Oslo Agreement in 1993. The elections were held in Gaza and the West Bank to elect members of the new Palestinian Legislative Council, or the Parliament (PLC) and the President of the executive authorities (the Ra'ees). The rest of the executives, or the government, if you like, was to be appointed by the President, and to be approved by the council.

The electoral system was defined partly in the Interim Agreement, or Oslo II, and partly in the election law. The Council had 88 elected members, plus the President, who was a member in the Council *ex officio*. The voting members of the executive authorities had to be members of the Council. In addition, the President could appoint additional members of the executive, not exceeding 20% of the total numbers of the members of the Executive Authority.

And now to the actual elections.

The election day was 20th of January, 1996, and they drew a lot of international attention. The European Union (EU) came with the largest group of observers, approximately 300. The next in size was a Norwegian team, with a total of 56 observers, and I was head of that mission. We arrived with an advanced team on 12th of November, 1995. We cooperated with the EU in mixed observer teams of two. In addition came delegates from other countries and international organizations. EU coordinated a total of 650 observers. After the elections, we held a press conference representing a joint statement of 17 delegations. NDI [the National Democratic Institute] and [the] Carter Center also sent delegations in addition to this.

The election law.

The President was elected by a simple majority, with the whole territory as one constituency, but for the elections of the Council, the West Bank and Gaza were divided into 16 constituencies. Each constituency was allocated a number of seats according to population.

The electoral system was a plurality system in multi-member constituencies. The ballot paper included names of all candidates, with affiliation marked, and the voter could vote for any person nominated across parties up to the number of seats of the constituency. The candidates with the highest number of votes in each constituency were elected.

This system is often referred to as a block vote system, indicating that people would often vote for party candidates in a "block." If voters are loyal to all parties, all candidates of the largest party would beat all candidates of other parties and win all seats. It, therefore, works as close to a winner-takes-all system.

EU had had advisors in Palestine when drafting the election law. I was surprised to see that they had not advised against a system which would give very few possibilities for minorities, but they felt that that would be too political, and they stuck to only technical advice.

There was one exception to the majority system, with the quotas for Christians and Samaritan Jews in four respective one constituencies.

There were some protests during the campaign period, before the election.

On 1st of January 1996, the Norwegian team decided to issue a press release on the campaign. The situation had become critical in the sense that the Central Election Commission (CEC) had decided to shorten the campaign period from 3 to 2 weeks. At this stage, a good working relationship had not yet been established with the CEC, and the time aspect made it necessary to issue a public statement. The EU team did the same assessment, and issued a statement with a much sharper tone than ours. The CEC was also being criticized by the public at that stage, and the observers owed to the public to give some kind of reaction to their criticism.

There was one episode, in the last week of December. The editor of Al Quds, Maher al-Alami, was arrested after he had not published the speech of the Orthodox patriarch at the Christmas Mass at Bethlehem on the front page, but only further inside the newspaper.

In his speech, the patriarch had praised Arafat, and Arafat was present at the Mass, for his religious tolerance, and compared to the Muslim conqueror of Jerusalem, Omar Ibn al-Khattab, who allowed Christians to practice their religion.

I visited the editor on 31st of December, the day after he had been released. He said he had made peace with Arafat, and they did not take the arrest too seriously.

A few days later, on 4th of January, I met Arafat at his Gaza headquarters. On the question of a fair coverage of the campaign in the media, and the independence of editors, Mr. Arafat brought up the question of the arrest of Mr. Amani.

He had been arrested, Arafat insisted, because he was "rude." He had not printed the speech of the Orthodox Patriarch, only the Roman Catholic covenant, during the Christmas celebration. The Israelis had attacked the speech of the Greek Orthodox Patriarch and made the instruction not to print it, but the cabinet had decided that everything said during the ceremony had to be printed.

I said it was not uncommon for editors to be rude, and it made a very bad impression to the international community when editors and journalists were arrested. I encouraged him not to arrest journalists for the rest of the campaign.

Mahmoud Abbas, or Abu Mazen, head of the election commission and the current president of Palestine, was sitting in the background, and he promised that no one would be arrested.

The meeting was held in late evening. At the end, Arafat took my hand and followed me down to the stairs and out to a waiting car. The back door of the car was open, and he pushed me in and closed the door. Only then I realized that this was my car.

I had to climb out again, and said to Arafat, "Mr. Chairman, I'm sorry. I do not have a driver, so I better sit in the front seat." And he replied, "oh, you Norwegians, you are so democratic."

Back to the block vote system.

Fatah was more like a movement than a political party, even though they nominated candidates for the elections. They did not impose strict discipline, so Fatah members, not nominated, were allowed to run as independents in competition with the official Fatah candidates. Together with the quota system, it led to Fatah winning only 49 out of the 88 seats. But Fatah associates won another 16 seats. Some prominent independent candidates, such as Dr. Hanan Ashrawi and Dr. Haider Abdel Shafi, were elected. Hamas did not run, but a few Islamists were also elected. The system did not provide representation for minority parties, but it allowed particular popular personalities to be elected. The system gives a great advantage for well-organized large parties.

In 2004, there was a strong international pressure, not least from the US, to hold elections. The US thought that Arafat might be beaten in an election, a rather unrealistic view. The PLC, the Parliament, started preparing a new election law, and I participated on behalf of IFES [International Foundation of Electoral Systems] as the only foreigner in a retreat of the legal committee of the PLC in Sharm el-Sheikh in Sinai.

Two Egyptian experts took part in discussion for a few days. During the sessions, the system of representation was discussed. The committee members had already decided they would go for a mixed system, and thus bringing in a strong proportional element. Half of the Parliament would be elected by block vote in constituencies, and half by territory-wide PR (proportional representation).

I pointed out that there would be two forms of mixed systems. The parallel system, where the two parts were counted independently, half proportional, and a mixed proportional system (MMP), where the PR mandates are distributed as compensatory seats, leaving the result fully proportional, like it is in, for example, Germany. They refused to consider systems other than the parallel system.

At this point in time, it was expected that Hamas would run for the next election. I said that block vote system is an advantage for the best organized party, and asked if they were sure that Fatah would be the best organized, but apart from the chairman of the committee, they did not want a discussion on this.

In the PLC elections in January 2006, Hamas won more than half of the seats, 74 out of 132, and they could form a government alone. If they had gone for MMP, Hamas would have won only 58 seats, Fatah 54, and other small parties and independents 20 seats. Fatah would have formed the government with the small parties, and independents, and the history would have been quite different.

The Carter Center and NDI had a joint delegation led by former U.S. President Jimmy Carter, former Albanian President Rehep Meidani, former Swedish Prime Minister Carl Bildt, and the Spanish former foreign minister Ana Palacio. After the elections, Jimmy Carter held a press conference where he emphasized that, as we had allowed Hamas to run, they should be allowed to rule. Ariel Sharon and President Bush did not agree. They boycotted the Hamas government and stopped the money transfers. Also, a coalition government did not work. A non-conflict between Fatah and Hamas erupted, ending with Hamas ruling Gaza up till yesterday (this is beginning of October 2025), and Fatah, the West Bank.

Thank you.