

Netanyahu and the Temporary International Presence in Hebron (TIPH)

Dr. Lior Lehrs*

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On January 28, 2019, Israeli Prime Minister Benjamin Netanyahu announced he was terminating the mandate of the Temporary International Presence in Hebron (TIPH), an observer force established in 1994 after the massacre of Muslim worshippers in Hebron by the Israeli settler Baruch Goldstein. In January 1997, an agreement was signed between the Government of Israel, headed by Netanyahu, and the PLO setting out terms of the TIPH mandate. The sides repeatedly extended the agreement for over 20 years. The observers do not have military or policing functions, and they do not bear arms. Their task is to monitor and report on events and convey classified reports to each side, and to the TIPH contributing states. Netanyahu's decision, to a large extent influenced by domestic pressure in the run-up to the April 9 elections, generated expressions of concern and condemnation by the international community, both by the force's contributing states such as Norway and Italy, and by Germany, the EU and the UN Secretary General. The reactions noted that the observer force had been an element of the Oslo process and played an important role in the volatile and sensitive city of Hebron, warning against the repercussions of its removal. Changing and adapting the mandate of the observer force should be conducted in a dialogue with the Palestinian Authority and TIPH states, and not dictated as a unilateral Israeli political decision.

The Temporary International Presence in Hebron (TIPH) [was established](#) in May 1994 in the wake of the February massacre of 29 Palestinian worshippers in the Cave of the Patriarchs by settler Baruch Goldstein. Following the massacre, the UN Security Council adopted [Resolution 904](#) that called for the deployment of a temporary international presence. Shortly after (March 31, 1994), Israel and the PLO reached an understanding on deployment of a temporary observer force in Hebron with a limited mandate, without UN involvement, led by Norway and with the participation of Denmark and Italy. The force was deployed until August 1994, but the sides failed to reach agreement on extending its mandate. In the September 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (the Oslo II Accord), the sides ratified the need to re-establish the temporary international presence. In [May 1996](#), the TIPH resumed operations in Hebron on a limited scale (with only Norwegian observers) in order to take part in preparations for the redeployment of the Israel Defense Forces (IDF) in the city.

In January 1997, the Israeli government headed by Benjamin Netanyahu signed the Hebron Agreement, setting out implementation of the IDF redeployment in Hebron and the entry of the Palestinian police into parts of the city (designated H1). The agreement once again stipulated the deployment of the TIPH, a principle translated into the detailed [TIPH](#)

Dr. Lior Lehrs is a Policy Fellow at the Mitvim Institute, and a post-doctoral fellow at the Leonard Davis Institute for International Relations and the Harry S. Truman Research Institute at Hebrew University.

[Agreement](#) signed by representatives of Israel and the PLO (Eytan Bentsur and Saeb Erekat) on January 2, 1997. The agreement served as the basis of a renewed mandate for the international observer force, which has been operating since for over two decades.

The agreement stipulated that the force would consist of up to 180 observers from Denmark, Italy, Norway, Sweden and Turkey.¹ On January 30, 1997, representatives of these states and of Israel and the PLO signed a [memorandum of understanding](#) containing the TIPH terms of reference. The TIPH Agreement described the task of the force as “monitoring and reporting the efforts to maintain normal life in the City of Hebron, thus creating a feeling of security among Palestinians in the City of Hebron”. The agreement did not authorize the observers to conduct policing or military functions; they do not bear arms and are not authorized to intervene in clashes or other incidents in the city. Despite the city’s division into an area under Israeli administration and another under Palestinian administration, the TIPH observers are free to move throughout Hebron and they operate in coordination with the IDF and the Palestinian police. They report on violations of various Israeli-Palestinian agreements and violations of international law, handing the reports to Israel, the Palestinian Authority and the TIPH states. These reports are classified and not open to public scrutiny. The observers also promote small community projects for the benefit of Palestinian residents, such as financial aid for cultural institutions or summer camps.

Since 1997, the sides have renewed the TIPH Agreement repeatedly, initially for three months at a time as stated in the agreement, and later every six months as agreed by the sides. During times of progress in the Israeli-Palestinian peace process, in the years 2000 and 2007, public signing ceremonies were conducted to extend the mandate in the presence of senior Israeli Foreign Ministry officials, PLO officials and representatives of the participating states. Nonetheless, the sides were often openly suspicious and hostile to the observers. In the Israeli side, some critics, especially the Israeli settlers in Hebron and right-wing supporters, claimed that the observers were operating against Israel. Palestinian critics argued that the observers were ineffectual given their helplessness in the face of Israeli policy on the Palestinians in Area H2 (under Israeli control). Both Israeli settlers and Palestinians mounted violent attacks against the foreign observers, the most serious of them in March 2002, during the second intifada, when two observers (Catherine Berruex from Switzerland and Turgut Cengiz Toytunç from Turkey) were shot and killed by a Palestinian gunman as they drove in a TIPH vehicle on a road near Hebron.

Israeli criticism of the TIPH force increased recently, especially after an incident in which a TIPH staff member punctured the tire of an Israeli settler’s car and another incident in which a TIPH official slapped a Jewish boy during a Hebron tour by activists of Breaking the Silence. In both cases, the employees were dismissed and left Israel and as the result of these incidents, Netanyahu summoned the commander of the force. In addition, according to an [Haaretz report](#), a confidential TIPH report covering 20 years of operations directed harsh criticism at Israel’s activities in Hebron. Against this backdrop, the [leadership of the Israeli settlers](#) in Hebron, right-wing organizations and politicians (among them [Public Security Minister](#) Gilad Erdan and Deputy Foreign Minister Tzipi Hotovely) ramped up their pressure against the observer force. On January 28, 2019, Prime Minister Netanyahu (who also served as Foreign Minister) announced his decision not to renew the TIPH mandate, [declaring](#), “we will not allow an international force to act against us”.

¹The TIPH is currently comprised of 64 observers from five states: Italy, Norway, Sweden, Switzerland and Turkey (according to the [TIPH](#) web site).

Netanyahu's decision could be perceived as a domestic political move influenced by the election campaign, but it could also have diplomatic and perhaps security implications. The Hebron observer force was an element of the Oslo Accords based on agreements signed by both sides (Oslo II in 1995 and the 1997 Hebron Agreement), and on an MOU with the participating states. It is therefore only fitting that a decision regarding its mandate, in force for over 20 years, be made in a careful and judicious manner based on consultation with Israeli foreign affairs and security governmental experts, and in dialogue with the Palestinian Authority (PA), Palestinian representatives in Hebron and the TIPH contributing states. According to [media reports](#), the decision was apparently made without the involvement of the Israeli Foreign Ministry and of the Coordinator of Government Activities in the Territories (COGAT). Opposition members in Israel pointed on the impact of the political timing on Netanyahu's decision: Ayelet Nahmias-Verbin, a member of the Knesset's Foreign Affairs and Defense Committee, argued that if there was no election campaign, Netanyahu would not have made this decision. Member of Knesset Omer Bar-Lev, also a member of the committee, said in response to the decision that Netanyahu "is concerned about garnering votes from the New Right" rather than "responding to our security interests and the need for ongoing cooperation with the Palestinian Authority."

Netanyahu's decision generated international condemnation. Norway's Foreign Minister Ine Eriksen Soereide was first [to respond](#), describing the move as "worrying" and warning that this "unilateral" decision "can mean that the implementation of an important part of the Oslo accords is discontinued". Italian Foreign Minister Enzo Moavero Milanesi (who visited Jerusalem and Ramallah in later January) expressed regret over the decision and announced that he would discuss it with the other task force states. On February 1, 2019, the foreign ministers of Norway, Sweden, Italy, Switzerland and Turkey (the five TIPH force members) issued [a joint statement](#) expressing concern that "the decision undermines one of the few established mechanisms for conflict resolution between Israelis and Palestinians" and warning of its "negative impact on the situation". They described the termination of the TIPH mandate as "a departure from the Oslo II accord", noting that in addition to Israel and the PLO, the Oslo II accord was also signed by the US, the EU, Russia, Egypt and Jordan. The ministers underscored the fact that "the situation in Hebron remains tense and fragile" since adoption of UNSC Resolution 904 in 1994, and that under international law, Israel is obliged to protect residents of Hebron, specifically, and of the territories, in general. They also vehemently rejected claims that the TIPH acted against Israel. The EU issued a similar [statement](#), reinforcing the TIPH statement and so did [the UK](#), [Belgium](#) and [Germany](#). The German Foreign Ministry noted that the TIPH force had served as part of an international framework on which the sides agreed at the start of the Oslo process with the goal of containing and resolving the conflict. Now, the ministry argued, the framework was being dismantled without a suitable alternative in place.

The UN also referred to the decision. Secretary General [António Guterres](#), his spokesman [Stephane Dujarric](#) and the UN envoy to the Middle East peace process [Nickolay Mladenov](#) all noted the important role played by the TIPH in maintaining calm and defusing tensions in the volatile city. Senior Palestinian representatives were also sharply critical of the decision, calling for international intervention. Palestinian Authority spokesperson Nabil Abu Rudeineh [accused](#) Israel of abandoning agreements it had signed under international auspices, and the Palestinian envoy to the UN Riyad Mansour called on the Secretary General and the Security Council to convene an urgent debate on Israel's decision.

Some of the international reactions suggest that Israel was violating an agreement to which it was a signatory. However, the TIPH Agreement of January 21, 1997 stated that the observers' mandate could be renewed "with the consent of both sides", thereby providing each side with a non-renewal option. It appears that the violation claims stem from the terms of reference of the TIPH that were based on an article in [the Oslo II agreement](#) of September 28, 1995, in which the sides agreed in principle on a temporary international presence in Hebron (Annex I, Article 7, Paragraph 10).

The TIPH presence in Hebron was designated from the start as a temporary measure, but it constituted part of the regime of the Oslo Accords, which were also defined as temporary, interim agreements. Absent a permanent agreement or any other solution, these agreements constitute to date the basis of the regime in the territories. Israel is not interested in the collapse of agreements that would result in the disintegration of the Palestinian Authority and resulting anarchy. The TIPH force has a limited mandate and little authority, but its symbolic and practical significance has developed gradually over time. The observer force ensured a continuous international presence in the complex and volatile city that has been a focus of tensions and violence stemming from its history, its sanctity to both religions and the friction between settlers and IDF troops, on the one side, and Palestinian residents, on the other (some 200,000 Palestinians and 1,000 Jews live in Hebron). Israel's unilateral move removing the international presence from such a sensitive locale, after over two decades, could have negative repercussions both in the diplomatic arena and on the situation on the ground. That is why any change and adaptation of the international presence in the city must be carried out in discussion with the Palestinian Authority, both on the diplomatic level and in terms of the security coordination on the ground, and in dialogue with the TIPH contributing states, and not as a unilateral political decision influenced by electoral considerations.