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The European security and defence policy mission at the Rafah crossing point.

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THE EUROPEAN SECURITY AND DEFENCE POLICY MISSION AT THE RAFAH CROSSING POINT

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The European Union Border Assistance Mission at Rafah, “EUBAM Rafah”, was inaugurated on the 25th of November, 2005, following Israel’s withdrawal from the Gaza Strip in September of that year and letters of invitation to the European Union from both the Palestinian National Authority (PNA) (20 November 2005) and the Government of Israel (23 November 2005). The objective of the mission was to facilitate the functioning of the Rafah crossing point, between the Gaza Strip and Egypt.

EUBAM would play a “third party” role between the Palestinian National Authority, which was then assuming control of the border crossing, and the Government of Israel, which was withdrawing from this checkpoint, with the aim of fostering trust between both parts in the management of this international crossing point which was so strategic for the Palestinian nation. EUBAM would assume, over the Palestinian civil servants working at the crossing point, observation, supervision, verification, advising, sponsorship, training and evaluation tasks, while at the same time it would perform liaison functions, not only between the two parts, but also with the Egyptian side to the extent necessary for the functioning of the crossing point.

EUBAM temporarily established itself in the Israeli city of Ashqelon, located about twenty kilometres north of the Gaza Strip, on the Mediterranean coast. The working day of the European monitors begins every day with a drive from Ashqelon to the customs terminal in Kerem Shalom, which is located on Israeli ground right in the vertex where the Gaza Strip, Israel and Egypt come together, a trip of about eighty kilometres. At the entrance to Kerem Shalom, an Israeli army patrol awaits the EUBAM team to lead it to the fence separating Kerem Shalom and the Gaza Strip. In order to enter the Gaza Strip, the European monitors adopt the same passive security measures as the Israeli soldiers deployed in the area: they use armoured vehicles and wear a helmet and a bulletproof vest. An Israeli patrol opens the gate and the EUBAM team crosses. On the other side, a Palestinian Security Services patrol with two vehicles is waiting to escort EUBAM to the Rafah Terminal, which is about three kilometres away. Once in the Terminal, the EUBAM members take up their positions in the arrival area for buses, passport control, baggage inspection and the rest of the

places where Palestinian civil servants (customs officers, immigration police and security service) work, in order to be able to observe the tasks of these civil servants throughout the day, which is just beginning. According to the agreements between the parts, the crossing point cannot be opened without the presence of the European monitors.

It must be stated that the Rafah Crossing Point is open solely to exportation, not importation, and to the passage of Palestinians on foot, not the crossing of vehicles nor the entry of foreigners, with some exceptions in the latter category, the so-called "exceptional cases", which are subject to prior notification, with a minimum 48-hour notice. The Palestine side formalises this notification in writing to the Israeli side in a common room, called the "Liaison Office", located in Kerem Shalom. The "exceptional cases" refer to four categories of non-Palestinian citizens: diplomats, international investors, members of international and non-governmental organisations and humanitarian cases. The Israeli part has 24 hours to present whatever objections it may have to the entry, and the Palestine part has another 24 hours to reply to these objections. Vehicles cannot cross through Rafah, as the facilities and technical equipment necessary to inspect automobiles are not available, and, in regard to imports, according to the agreements signed between the Palestine National Authority and the Government of Israel, they must go through the Kerem Shalom crossing point. However, for now, the only imports that pass through this point consist of humanitarian aid coming from Egypt for Gaza, fundamentally Egyptian trucks bringing sacks of flour. The crossing of people is made, therefore, on foot in the following way: a bus arrives from Gaza and stops in front of the Terminal. The passengers get off, cross through the interior of the Terminal, pass through a metal detector and passport control and leave through the other side, where the bus is waiting again to take them to the Egyptian Terminal. In a similar way, the buses that come from Egypt leave the passengers in front of the Terminal. They get off and pass through the metal detector and passport control, while their luggage is run through an x-ray monitor. Then, they collect it and move on to the customs room, in which all the luggage is checked manually by the Palestinian customs workers. Afterwards, they leave with their luggage through the other side, where a Palestinian bus is waiting to take them to their destination in the Gaza Strip.

In the Kerem Shalom Liaison Office, the three parts are represented: Israelis, Palestinians and EUBAM. Normally, the Israeli representation consists of an army officer and a member of the Israeli security services; the Palestine representation consists of a member of the Palestinian security services and a civil servant, while EUBAM is present with one or two monitors. In this office, the disputes that may arise during the functioning of the Rafah crossing point are settled, or they are referred to a higher level in cases of disagreement. The Liaison Office is equipped with three screens where images from forty video cameras distributed throughout the Rafah Terminal are received, while at the same time, every two or three minutes, by means of fibre optics and microwave connecting Rafah with Kerem Shalom, the computer system transmits an updated electronic file with the data on all of the passengers who have crossed through Rafah until that moment of the day. All of these images and data are stored electronically in such a way that it is possible

to review the passage of any person who has crossed during the previous days. This computer system, which was installed by American engineers in collaboration with Palestinian and Israeli technicians, in conjunction with the traditional systems of communications (radio, telephone and fax), allows one to maintain monitoring of what is happening in the Rafah Terminal.

In regard to the opening hours of the crossing point, it must be pointed out that, of course, the Mission's objective is the permanent opening of this crossing point, that is, 24-hour-a-day operation. This objective should have been met by March of 2006 according to the initial plan. However, it has not been accomplished yet, basically for security reasons related to the changes that have occurred in the political and social panorama of Palestine since the Mission began in November of 2005. Here, events such as the following should be mentioned:

- The Palestinian legislative elections of the 25th of January, 2006, yielded a victory for the Hamas political party, which consequently led to the formation of a new government composed of this political group. Hamas is considered a terrorist organisation by the European Union, and, therefore, the EU was reluctant to establish relations with members of this new government. The matter was resolved with the creation of a Palestinian Border Administration, directly dependent on the Presidency of the PNA, and with the cessation of the Preventive Security Service, dependent on the Palestinian Home Affairs Ministry, in security tasks in the Terminal as well as in escorting and protection tasks for the EUBAM during its stay in the Gaza Strip, with the Presidential Guard replacing it for these tasks from the 11th of April on.
- The dawn attack on the 1st of January, 2006, when Palestinian militants handcuffed the watchman of the United Nations Club in the city of Gaza and then blew up the premises with two explosive charges.
- The riots that occurred during the first days of February were caused by the reaction of the Muslims to the appearance of cartoons portraying the prophet, Mohammed, in some European press media. These disturbances culminated in such events as the launching of grenades at the French Cultural Centre in the city of Gaza on the 1st of February, the assault on the European Union office on the 4th of February and the attack on the Temporary International Presence in Hebron (TIPH) Mission, supported by United Nations, by a group of agitators on the 8th of February.
- The incidents on the 14th of March, when groups of Palestinian agitators set fire to the British Council headquarters in the city of Gaza. At the same time, armed men retained nine foreigners in Gaza and the West Bank, as a protest against the United States and Europe, blaming them for not having done anything to prevent the Israeli army raid on the Jericho prison.

These and other events caused the initial plan of transferring the EUBAM Headquarters to the city of Gaza to be reconsidered, along with the rest of the Mission to the border Terminal. Already, during a visit by a delegation from the Security Office of the Council of the European Union in February, this delegation advised against the two locations that had been chosen as possible options for the site of the Headquarters. Construction work on a

camp for the rest of the Mission's monitors had already begun at the beginning of the year on an approximately 50 x 80-metre piece of land ceded by the PNA within the fenced-in area of the Rafah crossing point. The construction of this camp was effectively carried out by a Swedish agency in collaboration with a Palestinian construction firm. The camp was handed over on the 28th of March. It was constructed by using metal containers, and in it, a space of a little more than 2 meters wide by 3 meters long is assigned to each person. Nevertheless, occupation of the camp has been postponed without a set date.

The Mission, therefore, continues to be located in Ashqelon. As a consequence, one needs to take into account the time for daily journeys, which is about one hour for the trip between Ashqelon and Kerem Shalom and about twenty minutes between Kerem Shalom and the Rafah Terminal. The initial seventy-person staff of EUBAM had been calculated considering that the European monitors would be housed at the Terminal itself. For this reason, in order to reach the same objectives, living in Ashqelon, a staff increase was necessary. Over time, this increase in personnel has been attained, in part. The incorporation of new members has been gradual from the beginning, which has allowed for an extension in the opening times. In December it went from 5 to 8 hours, in January to 9, in March to 10, and May to 11 hours. By the 12th of June, it was anticipated that it would reach fourteen hours, from 8:00 a.m. to 10:00 p.m. However, here a new problem arose: in this area of the Middle East, even in the month of June, it is already dark by 10 p.m. During that month, the confrontation between the Israeli army and Palestinian militants was especially violent, with numerous collateral victims in the Israeli attacks and with launchings of homemade rockets from the Gaza Strip into the area of Kerem Shalom. The Israeli army informed EUBAM that it was not willing to risk its soldiers' lives by opening the Gaza Strip gate in hours of darkness, so, if EUBAM wanted to extend the opening hours, the European monitors would have to stay overnight in the Terminal and cross the next day in daylight. EUBAM did not accept this solution, and, therefore, the opening hours would continue to be eleven hours, from 8:00 in the morning until 7:00 in the evening.

Within this context, on the 25th of June, an attack took place, launched by a Palestinian commando that had infiltrated through a tunnel dug under the gate and had crossed over into Israeli territory near Kerem Shalom and attacked an Israeli patrol, with the result of two Israeli soldiers dead, two more wounded and one kidnapped. As a consequence of this attack, Israel decided to close Kerem Shalom and with it the Rafah crossing point also. Since then, the crossing point has only been opened in exceptional cases: two days in July, five in August, three in September, seven in October, six in November; and this is still the situation today.

In its meeting on the 14th of November, the Council of the European Union decided to prolong EUBAM Rafah for another six months, until the 25th of May, 2007. From the 26th of November on, Israel has suspended its combat operations in the Gaza Strip after the Palestinian National Authority stated it had reached a compromise with the militant factions to suspend their aggressions against Israeli territory. This cease-fire could signify a first step towards a return to normality at the Rafah Crossing Point.