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Israeli Military Proclamation Number 7 The Implementation Of The Interim Agreement

By virtue of my powers as the Military Commander of the Israeli Army in the area I declare as follows:

- *Definitions*
 1. In this Proclamation
 - 'Interim Agreement' - the Israeli - Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington between the state of Israel and the Palestine Liberation Organization on 28 September, 1995 including the annexes and maps and any other agreements or arrangements made by virtue of this Agreement or for its implementation.
 - 'Council' - the Palestinian Council to be established by virtue of the Interim Agreement.
 - 'The Palestinian Authority' - As defined in the Interim Agreement.
 - 'Area C' - as defined in Article XI of the Interim Agreement.
 - 'Military areas' - as defined in the Interim Agreement.
 - 'Settlements' - as defined in Article XII of the Interim Agreement,
 - 'Israelis' - as defined in Article XX of the Interim Agreement.
- *Re-deployment of forces*
 2. The Israeli army shall be re-deployed in the Area according to the provisions of the Interim Agreement and according to the specification of the Military Commander of the Israeli Army in the area.
- *Elections*
 3. The Council and the head of the executive committee of the Council shall be elected in the elections specified in the Interim Agreement.
- *Transfer of Powers to the Council*
 4.
 - (a) The Military Commander of the Israeli Army in the Area and the Head of the Civil Administration shall transfer to the Council and its agencies, powers and responsibilities exercised by them or by those delegated or appointed by them to include legislative, judicial and executive powers. All of this shall be in accordance with the provisions of the Interim Agreement and as provided therein.
 - (b) Pending the establishment of the Council according to the Interim Agreement, the powers and responsibilities mentioned in (a) above shall be in the hands of the Palestinian Authority.
- *Transfer of Powers and Responsibilities*
 5. The transfer of powers and responsibilities according to Annex III of the Interim Agreement includes the transfer of all rights, responsibilities and duties relating thereto. The provisions of the Interim Agreement shall apply in this regard.
- *The Powers of the Israeli Military Commander in the Area*
 6.
 - (a) The Israeli military commander in the area and whoever is appointed by him or acts on his behalf shall continue to exercise the powers, responsibilities and duties including legislative, judicial and executive powers relating to each of the following spheres:
 - (1) the settlements and military locations
 - (2) Area C
 - (3) Israelis
 - (4) every matter relating to the external security of the area and the public order of the settlements, military locations and Israelis.
 - (5) Security and public order in areas under the responsibility of Israeli security.
 - (6) Other powers and scope of responsibility which according to the Interim Agreement are given to the Commander of the Israeli Army in the area including all residual powers and responsibilities which were not transferred by virtue of the Agreement.
 - (b) The declaration by the Commander of the Israeli army in the area that the powers and responsibilities remain with him shall be conclusive and final in determining this matter.
- *The Applicability of the present Legislation*
 7. The law and security legislation applicable in the area on the date of issuance of this Proclamation shall remain in force as long as they are not canceled, replaced or amended according to the provisions of this proclamation or the provisions of the Interim Agreement.

- *Annulments*

8.

- (a) Proclamation number 4 of 1994 regarding the implementation of the Agreement on the Gaza Strip and Jericho is hereby annulled. This annulment shall not prejudice any activity done by virtue of the Proclamation performed by the Area Commander, his delegates or appointees.
- (b) Proclamation number 5 of 1995, regarding the transfer of Preparatory powers and responsibilities and Proclamation number 6 regarding the transfer of additional powers and responsibilities will be annulled with the termination of the first stage of re-deployment according to the Interim Agreement. This shall not prejudice any action made by virtue of these proclamations by the Area Commander or his delegates or appointees.

- *Commencement*

9. This Proclamation shall come into affect on 28 September, 1995.

- *Name*

10. This Proclamation shall be called Proclamation regarding the Implementation of the Interim Agreement (Judea and Samaria) number 7, 1995.

Dated: 23.11.1995

Signed:

General Eilan Biran

Commander of the Israeli Army in the Area of Judea and Samaria

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SOURCE: Shehadeh, Raja. *"From Occupation to Interim Accords: Israel and the Palestinian Territories"*. Kluwer Law International, Boston, MA (1997), p. 273-6.

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