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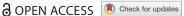
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## The European Union and Practices of Governing Space and Population in Contested States: Insights from EUPOL **COPPS** in Palestine

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#### **ABSTRACT**

This paper examines the EU Police Mission in the Palestinian Territories (EUPOL COPPS) with a focus on its effects on everyday police work on the ground. The main argument is that the mission illustrates the ways in which its training and advisory activities work to foster logics and practices that feed into and reproduce the borders that have over the years been imposed, primarily through Israeli security practices. Operating under conditions of contested statehood, EUPOL COPPS promotes Palestinian policing activities based on particular spatial logics and actions as to the governance of the Palestinian population. The article presents new empirical material collected through interviews and document analysis. As such, it aims to build bridges between the literature on critical border studies, EU external relations, the EU's role in the Israeli-Palestinian conflict as well as the literature on the EU police missions in conflict and post-conflict missions by emphasising their spatial dimension.

#### Introduction

Borders, space and territory remain crucial issues in the Israeli-Palestinian conflict. Firstly, the Zionist ideology is essentially a territorial one, which aspires for spatial and territorial configuration to achieve a homogenous national population. This has direct relevance for how citizenship and nationality are understood by the Jewish population as well as in the policies and actions of the State of Israel (Newman 2001). Space also matters for Palestinian imaginations of self-determination and independent statehood, of which the quest for a 'good' border is a key component - equally for the Israeli side (Falah and Newman 1995). Over the decades, the conflict has been shaped by attempts and practices at spatial control and configuration (Newman 1989). Borders have been imposed – primarily through the use of force that has taken the form of military intervention and occupation not only of Palestinian territories by Israel, but also the latter's annexation of regions in the neighbouring countries such as Syria and

Jordan and its enforcement of borders by reference to national security considerations (Newman 1989, 1996). In addition to military means, space has been acted upon and borders have been imposed in the conflict region by means of various techniques ranging from the "Separation Wall" in the West Bank (Pallister-Wilkins 2015) to checkpoints (Parsons and Salter 2008) along with architecture and infrastructure projects (Weizman 2007).

There are many actors involved in spatial imaginations or non-spatial workings of bordering in the Israeli-Palestinian conflict, including the Israeli state and military. Israeli settlements in the occupied territories are part and parcel of spatial control and organisation, which brings to the fore the centrality of territory for the ongoing conflict and the peace process (Newman 1996). Meanwhile, borders permeate the visions and discursive articulations of ordinary Israelis and Palestinians illustrating the significance of 'social boundaries' (Falah and Newman 1995, 691). In this article, we examine the European Union (EU) as one actor, whose activities in the context of the Israeli-Palestinian peace process have important implications for space and borders as protracted issues of the conflict (Bicchi and Voltolini 2018), including the management of mobility and population. The focus is on the EU Police Mission in the Palestinian Territories (EUPOL COPPS) established in 2006 with the declared objective to assist Palestinians in reforming their security sector by means of improving the civil police component of security reforms.

This article draws mainly on critical border studies. Del Sarto's research (2015) entails a 'borderlands approach' to examine the spatial dimension of EU relations with the conflict parties. Our approach differs from Del Sarto's study in two ways. First, while Del Sarto examines the 'overlapping border regimes within a space' entailing the EU, Israel and the Palestinian territories, our focus is on EU civilian mission activities within a delineated space and its implications for the latter. Second, different from Del Sarto's (2014) interest in the space-making effects of visa policies, our study explores how policing works to govern space and population with broader implications for contested borders.

We are especially interested in conceptual debates over 'borderwork' (Rumford 2006, 2012) and 'bordering' (Bialasiewicz et al. 2009; Pallister-Wilkins 2017). The examination of EUPOL COPPS would be incomplete without looking at its spatial dimension. This is because the mission does not target an autonomous and independent state with clear and internationally agreed borders and/or control over its population. The borders of the two conflicting parties are highly contested, and Palestinian sovereignty over territory and its autonomy in governance matters are strictly restricted due to the Israeli occupation and settlement activities (Del Sarto 2015). As such, EUPOL COPPS is deployed in a contested state and in the context of the Israeli-Palestinian conflict, which is still ongoing.

The examination of EUPOL COPPS is important because the mission is not a border assistance mission, such as for example the European Union Border Assistance Mission to Rafah (EUBAM Rafah), which was deployed in 2006/2007 at the Rafah Crossing point between Gaza and Egypt but has remained inactive since 2007. Examining EUPOL COPPS' spatial dimension is an endeavour, which has not been conducted previously and by doing so we highlight how a non-bordering mission has bordering effects. EUPOL COPPS is interesting also because it is a civilian mission without an executive mandate, which means that the mission's staff do not have executive powers and cannot implement policies themselves but the mission has a rather technical and advisory character. Yet, a closer examination of the mission's training and advisory activities on the ground indicates how the mission works to foster logics and practices of the governance of population that feed into and reproduce the borders which have over the years been imposed, primarily through Israeli security practices. Operating under conditions of contested statehood, EUPOL COPPS promotes Palestinian policing activities based on particular logics and actions as to the governance of the Palestinian population and space.

The article also speaks to the existing literature on critical border studies, EU external relations, the EU's role in the Israeli-Palestinian conflict as well as the literature on the European Union police missions in conflict and post-conflict missions by emphasising their spatial dimension. This strand of scholarship has provided original and critical insights into the underlying rationales, instruments, processes and outcomes of EU activities in the third countries. Studies have looked, among others, at the EU police mission in Bosnia and Herzegovina (Celador 2009; Merlingen and Ostrauskaite 2005; Osland 2004), in the Democratic Republic of Congo (Martinelli 2006), in Macedonia (Merlingen and Ostrauskaite 2008) and in the occupied Palestinian territories (oPts) (Bouris 2012, 2014, 2015; İşleyen 2018a; Müller and Zahda 2018; Tartir and Ejdus 2018). This literature has pointed out that EU police missions have rested on a peacebuilding discourse emphasising liberal forms of state-building and good governance institutions and illustrated the outcomes of EU activities for democracy, peace and regional politics. While previous research has studied the transformation of police skills and capacities in third countries through Common Security and Defence Policy (CSDP) missions, the operational effectiveness of such missions and analysing them as part of the EU's conflict resolution strategies, little attention has been paid to their spatial dimension. We study how EUPOL COPPS produces and transfers specific logics and practices of governing space and population in the Palestinian territories. It does so through its police training activities that produce and reproduce borders. This works through the promotion of particular forms of Palestinian mobility at the expense of others.

The article begins by outlining the conceptual framework that we draw upon to examine EUPOL COPPS activities. This is followed by a section on the regional and international context in which EUPOL COPPS has emerged and been deployed in the oPts. We then apply our conceptual framework to the analysis of the mission's activities on the ground. The article draws on primary material that has not been published before and on a number of interviews conducted in English with EUPOL COPPS officials in Ramallah as well as with EU officials from the Civilian Planning and Conduct Capability (CPCC) and the Political and Security Committee (PSC) in Brussels. These interviews were conducted in the last eight years with the most recent of them conducted in Ramallah in May 2018. The aim of these interviews has been to triangulate the material collected through secondary sources. Secondary sources such as academic literature on borders, borderwork, the EU's role in the Israeli-Palestinian conflict and EUPOL COPPS have also been consulted as well as media and newspaper articles. The last part summarises the findings and the implications of the mission's activities for the ongoing Israeli-Palestinian conflict.

## Bordering and the Governance of Space and Mobility

Drawing upon critical border studies (Johnson et al. 2011; Rumford 2008, 2012), we study EUPOL COPPS as a particular form of 'bordering' activity that promotes and disseminates specific logics of and relationships between space, governance and population. There are three central arguments of this body of scholarship that this article addresses. First, borders are not limited to state borders. As Coleman (2007) puts it 'the border - and border enforcement - is increasingly everywhere'. This is not to negate the existence of state borders, be they lines, fences or rivers, but to recognise that 'contemporary borders become deterritorialised and disaggregated' (Côté-Boucher, Infantino, and Salters 2014, 196). Rather than taking borders as rigid and centralised forms of division and exclusion, a critical perspective on borders look at the ways in which new forms and mechanisms of bordering take place in 'dispersed and heterogonous sites located beyond the geopolitical border lines' (Côté-Boucher, Infantino, and Salters 2014, 196). Bordering is not restricted to activities 'at the territorial margins of the state' (Coleman 2007, 56). Instead, bordering is manifested in a wide range of locations away from the state border bringing a wide range of actors and institutions and following diverse spatio-temporal logics and mechanisms that are hard to explain solely from a state-centred perspective (İşleyen 2018b). Borders are also constructed within and beyond states, which requires us to move away from the territorial demarcation lines between states (Bialasiewicz et al. 2009).

Second, borders and bordering are not 'exclusively the business of the state' (Rumford 2012, 897). Instead, non-state actors are key in 'envisioning, constructing, maintaining and erasing borders' (Rumford 2012, 2). What is common to borderwork literature is their call for a shift in focus in the examination of border from state to non-state actors engaged in bordering (Johnson et al. 2011). The EU is one such non-state actor whose discursive and non-discursive practices have productive effects in the emergence, production and reproduction of territorial and spatial configurations both within the European space and beyond (Mamadouh 2015; Bialasiewicz, Elden, and Painter 2005; Rumford 2006). One example is the type of bordering coming into play through the European Neighbourhood Policy (ENP) as a form of region-building. The ENP illustrates the coming into play of 'new political geographies of the European "neighbourhood" that are produced and reproduced through the activities undertaken by diverse EU agents and institutions targeting the Mediterranean, the Black Sea and the Western Balkans as well as selected spaces within the territorial borders of EU member states. The ENP constitutes the 'hierarchies of places, rights, and access' (Bialasiewicz et al. 2009) that are established and enhanced by means of a wide range of pre-emptive, region-building and post-conflict state-building activities undertaken by supra-national, trans-national and sub-national actors in the EU.

Third, bordering does not have to build on 'consensus' to be powerful and effective. As contemporary borders increasingly become varied, dispersed, and dislocated, they are not necessarily agreed upon, developed and utilised through consensus. Nor are all borders 'identifiable, recognised by all parties' and generate consequences that equally affect all. The activities of FRONTEX, the EU's border agency, in the Mediterranean does bordering work conducted by a non-state agent, whereby consensus is not the norm and the effects of bordering are not allencompassing. 'The "FRONTEX" border is a new sort of flexible border, deployed whenever and wherever it is needed' yet constitutes 'a border which is not mutually agreed by those on either side of it' (Rumford 2012, 891). Moreover, FRONTEX operations do not affect the EU and the non-EU in the same way. Whereas the 'inside' does not always become aware of the 'FRONTEX border' in its daily deployment, the 'outside' experiences and is confronted by the exclusionary effects of this border on an everyday basis (Rumford 2012, 892; Bigo 2014). Nevertheless, bordering is also constitutive of spaces of governance within and beyond traditional conceptions of statehood and borders. Borders function in multifarious ways and produce diverse and multiple geographical logics and practices of territorialisation, re-territorisalisation and de-territorialisation (Bialasiewicz et al. 2009). They disseminate particular logics of governing space and population. This occurs through the governing of the mobility of the population. This might work to either 'expand the spatial zone of intervention' (Pallister-Wilkins 2017, 93) or concentrate it inside the territorial borders of the nation state (Işleyen 2018c), the latter being manifest, for example, in transit spaces such as hotspots and hubs where EU bordering practices have recently concentrated on (Pallister-Wilkins 2017). The ENP shows the ways in which economic and security partnership and political cooperation are meant to constitute the EU's neighbourhood as a space that is tied to a process of bordering, re-bordering and de-bordering. The ENP produces and reproduces

particular spatial logics and practices of the 'interior' and the 'exterior' (Bialasiewicz et al. 2009) and enables the EU to export its rules and practices to bordering countries or as often called its 'near abroad' (Del Sarto and Schumacher 2005; Lavenex 2008; Lavenex and Schimmelfennig 2009). The ENP creates the socalled 'neighbourhood' as a space, where the 'EU-ropean project' is promoted and 'EU-ropean solutions' are being experimented, and neighbourhood countries are drawn into the EU's normative, legal and institutional framework without necessarily being attached to its identity. Meanwhile, the 'externalisation' of selected security, economic and political aspects of the 'EU-ropean project' inadvertently creates and reinforces (new) asymmetries in terms of actors, conditions, relations, institutions and actions within the 'South' (Bialasiewicz et al. 2009, 83). Political scientists have so far tried to explore the EU's impact on and role towards candidates for accession or third states through the process of Europeanisation or through the lens of external governance (Featherstone and Radaelli 2003; Grabbe 2001; Lavenex and Uçarer 2004; Schimmelfennig 2009; Sedelmeier 2011) but they have largely treated territory and space as 'essentially isotrophic and planar - an abstract, uniform, featureless medium, upon which human political action is played out' (Clark and Jones 2013, 306). As Clark and Jones (2013, 306) have argued 'territory is often depicted as a passive backdrop over which Europeanisation politics and political actions are played out, a setting rather than a dynamic quantity in its own right'.

The case of the Palestinian territories though exposes these weaknesses due to the fact that the ideational and territorial aspects remain dynamic and also have significant reverberations with regard to the state-building and conflict resolution initiatives taken on this space. To this end, this article and our approach contribute (and enhance) a number of different literatures, which are not always brought together. First of all, our main focus is not on a sovereign state but a contested one. This paper draws upon the definition of contested statehood offered by Papadimitriou and Petrov (2012, 749). According to them, contested statehood is a state of affairs, where one or more of the following characteristics hold true: (a) An internationally recognised state authority (as expressed by full membership of the UN) cannot maintain effective control over its respective territory (or parts of), either as a result of an ongoing conflict or its profound disconnection with the local population; (b) The de facto governing authority of a contested territory has declared independence, but it does not command full diplomatic recognition by the international community as expressed by full membership of the UN; (c) The capacity of an internationally recognised or a de facto government to exercise authority is severely compromised due to the weakness of its state apparatus, either because of poor resources or complications in the constitutional arrangement underpinning its operation. This definition is closely linked to the work of political geographers on space and territoriality. Jessop (2016) for example argues that statehood 'has different forms, rests on specific political and calculative technologies that support

territorialisation, and can be combined with other forms of political authority and broader patterns of spatial organisation, resulting in different kinds of state and polity'. To this end, the very notion of the state is broken down into three key components: (1) An apparatus which is politically organised, coercive, administrative with general and specific powers; (2) A clearly defined territory under the continuous (and uncontested) control of a state apparatus and (3) a permanent population, upon which the state's political authority and decisions are binding.

We specifically focus on the bordering work conducted by a non-state actor namely an EU CSDP mission (EUPOL COPPS), which has so far not been missing from the debate. What makes this even more important is that we are looking at the spatial dimension of the mission. Although issues of the importance of space and territory especially in regard to the Israeli-Palestinian conflict have extensively been discussed throughout the years and authors have engaged with the debate of how borders come into existence through social practices, so that they could be described as bordering processes (Newman and Paasi 1998) or issues of bordering, space, power and conflict in the context of Israel/Palestine (i.e. Falah and Newman 1995; Newman 1989, 1996, 2001; Pallister-Wilkins 2015; Parsons and Salter 2008; Weizman 2007), this literature has not engaged with the EU's initiatives on the ground.

As such, this article moves beyond these literatures and their aforementioned limitations and examines the kind of borderwork conducted though the EU's police mission taking place in the PA. While CSDP missions have been deployed in many countries in the EU's so-called neighbourhood, the case of Palestine is unique because of the ongoing Israeli-Palestinian conflict and the related Israeli occupation of the Palestinian Territories. Therefore, as a non-state actor, EUPOL COPPS operates under complex political, geographical and social conditions stemming from the aforementioned conflict and occupation. The next section turns to the kind of bordering work conducted by the EUPOL COPPS mission and discusses its effects for the realities on the ground. In the following we focus on the logics and micro-level techniques of EUPOL COPPS and aim to illustrate how this civilian mission translates into a sort of bordering.

## EU Involvement in the Palestinian Contested State through Security Sector Reform (SSR) in the Aftermath of the Oslo Accords

The reasons of contested statehood in Palestine can be traced back to the collapse of the Ottoman Empire, the subsequent British mandate and the eventual British withdrawal from these territories. In Resolution 181, the UN decided upon the division of Palestine into two states, an Arab one and a Jewish one, and the internationalisation of Jerusalem. Following the 1967 War, Israel occupied the West Bank (including East Jerusalem), Gaza and the Golan Heights. In 1993, Israel and the Palestinians signed the Oslo Accords,

which among others, also created the Palestinian Authority (PA), tasked to control a number of non-contiguous population centres. With the signing of Oslo II in 1995 (also known as Interim Agreement on the West Bank and the Gaza Strip), the West Bank was divided into three areas: A, B and C. Area A constituted 17.7%, Area B 21.3% while Area C represented 61% of the West Bank. What is noteworthy to mention is that it was only in Area A that the PA was given full responsibility for civilian and security affairs. In Area B, the PA was given only civilian control (the security control would be maintained by Israel) while in Area C Israel would retain full control. These areas are not contiguous and this is the reason that the West Bank is often called 'Swiss cheese': 'Israel kept the cheese and left the holes for the Palestinians' (Lia 2006, 283).

The result of this compartmentalisation of the territory of the West Bank was the construction of visible and invisible borders which would have significant reverberations with regards to the relationship between space and governance in the oPts both for internal Palestinian politics but also for the involvement of the EU and other external actors in the Palestinian state-building. The compartmentalisation of the territory has led to a situation where every externally-devised initiative is closely linked to the creation of borders decided and approved by the occupying power, that is Israel. At the same time, this fragmentation of the territory has also contributed to the PA's promotion of specific security logics and the production and reproduction of a 'legitimate' space for the Palestinians as well as a particular relationship between space, governance and population, which is another form of establishing borders.

The division of the West Bank into these areas has not been just territorial - this division has led to the promotion of mobility in certain ways while restraining others as well as to the dissemination of particular logics of governing space and population. Israeli occupation makes extensive use of infrastructural arrangements, documentation as well as temporary and permanent checkpoints to regulate the mobility of the Palestinian population. This exemplifies the need for going beyond the state-centred perspective of borders to the examination of their materialisation in deterritorialised and dispersed spaces and sites (Parsons and Salter 2008). Neither do borders have to build on 'consensus' to be powerful and effective but are rather imposed by the occupier, which is Israel, whose population has a different daily experience of those borders than Palestinians. The most important outcome of the Oslo Accords was that Israel would remain the final arbiter of Palestinian life by having the ultimate control of all 'internal' and 'external' borders, or in other words all entry/exit points into/from Palestinian areas (Agha and Khalidi 2006; Le More 2008, Luft 2004). While the Oslo provisions were supposed to be temporary and the Accords themselves were considered as an interim period which would end in 1999, their provisions

still guide the way that the international community in general and the EU in particular engage with the oPts and the way that the PA governs over its territories (Bouris and Kyris 2017).

In the aftermath of the Oslo Accords, the EU engaged actively in every aspect of the state-building project carried out in the oPts (Bouris 2014) and it also provided half the funding needed for the setting up of the PA's institutions because it was hoped that building Palestinian institutions would be a first step towards the establishment of a Palestinian state and the end of the conflict (Bouris 2014, 73). Security has been central to all agreements signed throughout the Oslo period and it was inherently linked with the debate on borders. Details of all security and policing arrangements were agreed and specified in the agreements signed during the so-called Interim period. Despite all these detailed agreements, legally and politically 'the Palestinian Police was a far cry from a national police force in an independent state' (Lia 2006, 269).

Much of the security infrastructure built during the Oslo years was almost completely destroyed by Israel following the outbreak of the second intifada in 2000 (Friedrich and Luethold 2007, 19). Palestinian SSR assumed a central role in the 2003 EU-inspired and Quartet<sup>1</sup> sponsored Performance-based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict'. Soon after George W. Bush made clear that 'The United States will not support the establishment of a Palestinian state until its leaders engage in sustained fight against terrorists and dismantle their infrastructure' (2002), a number of initiatives in the domain of SSR were taken to (in theory) help the Palestinians reform their security sector which would benefit first and foremost themselves. The reality though has been very different. The whole SSR activity would prove to be a way of exerting power towards the Palestinians, of 'convincing' and 'training' them on what is right and wrong and how the security apparatus in general and the civil police in particular should operate (according to Western standards). As Mustafa (2015, 220) puts it:

The key point is that this order is imposed in such a way that it does not appear to be imposed at all; the coercive agency necessary to achieve this disposition is disguised, possibly even from the agents themselves, because of the ideal of 'consensual' politics they espouse and the way the coercive power guaranteeing it hides behind it. Power becomes more persuasive and pervasive when its action and function is disguised as something other than what it is.

It is on this basis that EUPOL COPPS was established in 2006 building on a previous bilateral British initiative, which had been initiated in mid-January 2005 by the Department of International Development (DfID) and was called EU Coordinating Office for Palestinian Police Support (EU COPPS). EU COPPS was established within the office of the EU Special Representative for the Middle East Peace Process, Marc Otte at that time, was comprised of just four senior police advisors and led by Jonathan McIvor. EU COPPS carried out a fact-finding mission and produced a Palestine Police Project Memorandum with specific proposals for a programme which would support the Palestinian Civil Police (PCP) in both short and long-term plans, something which was considered as an important element of strengthening overall governance in the oPts. According to an official involved in the initial fact-finding mission:

Little attention had been paid to the needs of the Palestinians and their safety and security which in theory should have been the priority of the Civil Police. Until that moment capacity building of the PCP meant satisfying, first and foremost, Israeli security needs and demands.<sup>2</sup>

EU COPPS was transformed to EUPOL COPPS following the EU's decision of July 2005 to 'agree in principle that EU support to the Palestinian Civil Police should take the form of an European Security and Defence Policy mission building on the work of the EU Coordinating Office for Palestinian Police support' (Council of the European Union 2005). According to the mission statement, EUPOL COPPS should contribute to

the establishment of sustainable and effective policing arrangements under Palestinian ownership in accordance with best international standards, in cooperation with the Community's institution building programmes as well as other international efforts in the wider context of Security Sector including Criminal Justice Reform (Council of the European Union 2005).

While the mission initially had a 3-year mandate, this has been extended since then. EUPOL COPPS has two main operational pillars: a Police Advisory and a Rule of Law section (from 2008). Its main tasks according to its mandate are: (a) to mentor and advice the PCP; (b) to co-ordinate and facilitate EU member financial assistance to the PCP and (c) to give advice on politically related criminal justice elements. What is noteworthy to mention is that, EUPOL COPPS does not have an executive mandate, which means that its role is limited to mentoring and advising. The CPCC is responsible for the planning and conduct of the mission under the political control and strategic direction of the PSC - both based in Brussels.

EUPOL COPPS consists of four sections namely: the rule of law section, the police advisory section, the planning and evaluation section and the mission support section. The mission staff have expanded considerably since its inception; while the mission started with 48 staff in 2006, in 2017 it had a strength of 114 staff (Bouris and Dobrescu 2018, 261). The mission also has special, field and training advisers who work in different parts of the West Bank providing assistance and helping in the identification of training and equipment needs.



## Training and Equipping

Initially, the mission focused on tackling the most urgent equipment and infrastructure needs of the PCP. An EUPOL COPPS official who has been there since the deployment of the mission argues: 'when we first arrived here we witnessed a Palestinian Civil Police just exiting from the intifada, you couldn't enter Nablus... everything was chaos'.3 The operational beginning of the mission also coincided with Hamas' success in the Palestinian elections and the subsequent boycott of its government by the EU and the international community (Gunning 2008; Voltolini and Bicchi 2015; Pace and Pallister Wilkins 2018). 'From our first days here we were hostages of the political situation without being able to do our job' argues another official from the mission. The subsequent Hamas takeover of the Gaza Strip in 2007 and the division of the Palestinian Territories into the Fatah-led West Bank and Hamas-led Gaza Strip further complicated the situation on the ground (Persson 2017) and proved the argument that bordering is constitutive of new spaces of governance both within but also beyond traditional conceptions of statehood. As such, the realities of the contested statehood in Palestine as well as the division and separation of the border of 'Palestine' (which includes the West Bank, the Gaza Strip and East Jerusalem) into two 'internal and separate borders' (i.e. the Hamas-led Gaza government and the Fatah-led West Bank government) resulted to EUPOL COPPS being operational only in the areas which the Fatah-led government of the West Bank could control (Pace and Cooley 2012). Moreover, this separation did not build on 'consensus' but it rather built on internal Palestinian divisions. What is noteworthy to mention is that by engaging with the Fatah-led government in the West Bank the mission in essence has legitimised an institution (in this case the Palestinian civil police), which is contested and in essence lacking democratic oversight as there have been a paralysis of the Palestinian Legislative Council and all laws since 2007 are enacted through Presidential decrees.

The ground for the mission's stronger engagement in the SSR objectives became more fertile after Salam Fayyad's appointment as a Prime Minister in the oPts in June 2007 and the subsequent adoption of his plan entitled 'Palestine - Ending the Occupation, Establishing the State' two years later (Palestinian National Authority 2009). In parallel to these developments, in June 2008, EUPOL COPPS expanded its mission so as to include a rule of law component based on the belief that a well-governed security sector would require more than just well-trained and well-equipped security forces; it would require a system of transparency where security governance would be accountable to people. As a DfID official argues:

We realised that we needed a holistic approach that would help us bridge and merge security and justice because there was a fear that the justice system would be left behind and would not be able to catch up with the security system.<sup>5</sup>

Another official from the Crisis Management and Planning Directorate argued that 'You can train as many policemen as you want but if you do not include criminal justice training your efforts will not mean anything'. As a result, the mission started focusing more actively on the strategic level of reforms and more specifically on the criminal justice sector by targeting the most important actors in the 'criminal chain' namely prosecution services, courts, the High Judicial Council, penitentiary, the Ministry of Justice, the Palestinian bar association, civil society and the scientific legal community. By providing training to the local police staff, EUPOL COPPS has managed to promote specific techniques of governing the space and thus diffusing power through the training they offer. As İşleyen (2018a) puts it:

The mission's activities introduce an asymmetric relationship between EUPOL COPPS officials and the local police, whereby the former is portrayed as the normal as opposed to the latter's abnormality in terms skills, experiences and competence.

'Over 60% of the prosecutors and administrative staff are inexperienced, have been employed during the last year and need additional basic training and supervision' argues a 2009 Assessment report (EUPOL COPPS 2009b). The conclusions of another report on a criminal investigation within the Palestinian civil police are telling:

We have identified chokepoints within the organisational structure of the criminal investigation units of PCP. We do not think that today's system is an optimal solution. A change towards a more 'One Stop Shop' model would be more efficient (EUPOL COPPS 2009a).

EUPOL COPPS has also been involved in spatial configurations of governing this space through specific techniques. After the split in 2007 between the Fatah-led West Bank and the Hamas-led Gaza Strip, which also resulted in a specific governance rift, the PA decided to relocate the Ministry of Justice to Ramallah. The Ministry of Justice and the seats of the highest bodies of the judiciary had originally been placed in Gaza in an attempt of the PA to spread its institutions over both territories (EUPOL COPPS Rule of Law Section 2009b). Hamas' takeover of Gaza Strip in 2007 and the subsequent unwillingness of the EU to engage with it also had a direct effect on EUPOL COPPS, which could only engage with the security sector reform conducted in the West Bank (and mainly in Area A). As such, the mission feeds into and reproduces borders and spatial configurations emerging from the domestic and regional dynamics relating to the conflict. More specifically, EUPOL COPPS has contributed to the imagination of a specific space for the Palestinians, which includes specific areas of the West Bank and thus excluding the Gaza Strip, where the mission was also supposed to be operational.

Another example is the training provided by EUPOL COPPS to the Palestinian Prosecution Office involving several modules on economic crime management.

EUPOL COPPS training included the transfer of expert knowledge on countering economic crimes both in the public and private realm (İşleyen 2014). This training has bordering effects because it imagines the Palestinian economic space from a restricted spatial gaze. It identifies the problems of the Palestinian economy as crimes pertaining to the 'internal' meaning that EUPOL COPPS training only addresses issues understood as crime within the spatial confines that Palestinian economy 'can' operate. Such spatial imagination is a form of bordering as it conceals realities surrounding the Palestinian economy that go well beyond the domestic space as Palestinian economy is far from being independent. The Paris Protocol (1994) integrated the Palestinian economy into the Israeli one through a customs union. This meant in practice that all imports and exports would be subject to Israeli supervision and that Israel would collect and pass to the PA the taxes and custom duties imposed on Palestinian imports from or via Israel. Therefore, by turning problems into matters of capacity building, EUPOL COPPS training reduces the Palestinian economy and economic crime to the domestic while detaching these issues from structural conditions and connections.

## Disciplining and Managing the Space and Population

EUPOL COPPS' engagement in the strategic level working closely with the Palestinian Ministry of Justice and Ministry of Interior has allowed the mission to diffuse specific ideas of 'how things should work'. In other words, the mission has been extremely instrumental in inserting particular rationalities and techniques of governing the space in the oPts through its direct involvement in the lawmaking processes. For example, advisers from the mission are engaged closely with senior officials from the Ministry of Interior supporting the reform and development of the PCP. As underlined on the website of the mission

EUPOL COPPS advisers support the Ministry of Interior and PCP at strategic level to embed the concept of civilian police primacy through cooperation and coordination with the wider security sector agencies and their international advisers (EUPOL COPPS 2017).<sup>7</sup>

More recently the mission has stepped up its efforts to get more involved in the strategic level. As two officials from the CPCC and the PSC who are responsible for the planning and strategic guidance of EUPOL COPPS' activities at Brussels level argue<sup>8</sup>

We started re-focusing on the strategic level and getting involved in the drafting of key legislation. We have already assisted the drafting of the Code of Conduct on the Use of Force and Firearms which has entered into force and currently we assist the Ministry of Interior and the Ministry of Justice to draft the Police Law and the Criminal Procedure Law.

By engaging in such a strategic level and having a say on the laws governing police and criminal procedures, EUPOL COPPS promotes the

disciplinarisation and normalisation of police officers (İşleyen 2018a) and the governance in the oPts similarly to what the EU has been doing through EU Police Mission (EUPM) in Bosnia (Merlingen and Ostrauskaite 2005). This is also confirmed by recent interviews with EUPOL COPPS officials involved at providing advice at the Palestinian Ministerial level. EUPOL COPPS experts worked closely with the Palestinian Ministry of Interior especially with regard to Palestinian Strategic Planning and the Security Sector Reform Strategic Plan 2017-2022 and they argue that most of their recommendations were accepted.9 This means that in practice they managed to promote specific logics of how laws regarding the Palestinian Civil Police should 'look like' in the policing of the Palestinian population. This includes for example, what the Palestinian Security Services are 'allowed' and 'not allowed' to do, as having a direct say on the law drafting and enactment has particular power effects. This has also spatial reverberations as these laws apply primarily to the Palestinian population in the West Bank but not in Gaza. As such a particular 'border' is created while at the same time the fighting against organised crime also serves the Israeli security concerns. This is also the reason why Israel has 'endorsed these technical achievements of EUPOL COPPS, realising the mission can make the PA more effective in policing the West Bank and a more reliable partner in quashing dissent and countering insurgency' (Ejdus and Tartir 2017).

Among others, EUPOL COPPS also provides training with regard to arrest techniques and crowd control, which is the responsibility of Palestinian Special Police Force - part of the PCP. The Special Police Force, which is the main antiriot and crowd control of the PCP, receives training from EUPOL COPPS, which focuses on proportionate and non-lethal use of force when dispersing crowds and demonstrations. Despite this, in a number of demonstrations in the last years, lethal force has been used against the demonstrators. In July 2013 for example, hundreds of Palestinians demonstrated in Ramallah against the US-led resumption of final status talks between the Palestinian Liberation Organisation and Israel. Their route was blocked by regular and riot police and when the demonstrators starting throwing stones the police responded with force. 'The riot police attacked us with batons' argues one of the demonstrators while another one said that 'the demonstrators were trying to get past the barrier when the attack started' (Human Rights Watch 2013). In a similar incident in 2012, the Palestinian security services spokesman argued that police acted to stop the protesters from approaching and reaching the Presidential headquarters in Ramallah where demonstrations were 'prohibited' (Human Rights Watch 2012). More recently, in June 2018, Palestinian demonstrators gathered in the centre of Ramallah to demand an end to the PA's sanctions against Gaza. The police had pre-emptively declared the demonstration illegal and prevented demonstrators from gathering in the 'Manara square' (the central square of Ramallah). Among the Palestinian security forces

were also civil police personnel in police uniforms (some others were special forces and others in military uniforms). As a witness argues: 'determined to clear the streets, large groups of Palestinian security forces moved towards and targeted with tear gas and stun grenades any gathering of even a few people. Then came the undercover offices' (Younis 2018).

What should be acknowledged though is that the presence of different security services during these demonstrations - such as the Palestinian Authority Intelligence and the Preventive Security Force (which are not part of the PCP) – make it hard to tell which security service was behind the excessive power used. Despite this, the training of crowd control is closely linked with the logic to discipline and manage space and population. The aim of this crowd control is to ensure that the demonstrators will be limited to a specific geographical space and territory and that they will not cross the visible (or invisible) border and/or boundary determined by the PCP. As such, crowd control techniques and policies aim at disciplining and managing the Palestinian population but also to govern the mobility of the population thus adding to the first layer of this control, which is the Israeli occupation of the Palestinian Territories thus reproducing it. These techniques also constitute a space-making function as they are also closely linked to the creation, expansion but also concentration of a 'permitted' space and also shape the mobility of Palestinians (İşleyen 2018a).

The implications of the operationalisation of EUPOL COPPS in the construction, enforcement and reinforcement of borders are not limited to crowd control. As mentioned above, the mission does not have an executive mandate, which means that it can only be present where the Palestinian police are allowed (by Israel) to operate. The Oslo Accords had allowed for the establishment of 25 Palestinian police stations in Area B, each with 25-40 civil police, so as to enable the PA to exercise its responsibility for public order (although Israel would retain ultimate responsibility for security). The Accords contained specific provisions about the exact number of police at each station and required that the movement of Palestinian police in Area B should be coordinated and confirmed with Israel (Cordesman 2005). Following the eruption of the second intifada and the subsequent violence, Israel closed down all these police stations and the Palestinian police was not allowed to operate there. The first time, since 2001, the Palestinian police was permitted to return to these areas was in 2008 when Israel approved the opening of 20 police stations (Jerusalem Post 2008). 'We were and still are totally handicapped' argues a EUPOL COPPS official.<sup>10</sup> 'Everything we do is done with the approval of the State of Israel. Any equipment we bring in has to be approved by the Coordinator of Government Activities in the Territories' admitted Henrik Malmquist, who was the Head of the mission between 2010 and 2012, in an Israeli newspaper interview (Hass 2011). 'No one can understand the seriousness of the situation if he/she does not witness it. A police station

can be 100 metres away from another police station in Area B. We need permission from the Israelis to go from one to another. 11 As such, the mission, consolidates the borders dictated by Israel and consequently it ends up unintentionally conducting a border activity that turns into a form of bordering that produces and reproduce the Israeli occupation of the Palestinian Territories.

#### **Conclusions**

The aim of this article has been to analyse EUPOL COPPS' activities on the ground and to highlight how the mundane exercises of the mission do bordering through the transfer of particular conceptions and practices of governing mobility. Moving away from engaging with issues of effectiveness and also moving beyond a traditional understanding between sovereignty and borders, the adoption of a critical border studies approach has allowed us to unpack and uncover the ways in which the EU diffuses and 'produces' power through the deployment of CSDP missions in its neighbourhood and beyond. Our main observation is that despite the fact that EUPOL COPPS is a civilian mission without an executive mandate, which at first sight makes it appear as 'innocent' because its aim is to provide 'technical' assistance and advice, in reality the operationalisation of the mission on the ground has crucial effects not only with regard to the EU's role in the Israeli-Palestinian conflict but also as far as the dynamics of the conflict itself are concerned.

EUPOL COPPS' promotion of specific 'ways of doing things', logics and relationships between space and governance results in the creation of a second layer of control of the Palestinian population thus reproducing the Israeli occupation of the Palestinian territories. This is even more problematic especially because the engagement and bordering activities are taking place in a contested state and non-sovereign space, where borders have even more significance as they are deeply linked to final status issues for the resolution of the conflict. Taking into account that the majority of EU CSDP missions deployed so far are civilian, without executive mandates and the fact that most of those civilian missions are deployed in cases where borders are contested (oPts, Georgia, Kosovo, Ukraine, Libya, Moldova, Afghanistan, Mali, Nigeria, Somaliland), the need for further research into their 'bordering' activities becomes even more urgent. With a specific attention to space and space-making, critical border studies offer conceptual tools for EU scholars interested in CSDP missions. The article aspires to encourage more researchers to focus on the bordering effects of such EU-led civilian missions by exploring the reverberations that their operationalisation might have, including for example, with regard to asymmetrical power relations between the conflicting parties concerned.



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### **Notes**

- 1. The Quartet was established in 2002 and is comprised of the UN, the US, Russia and the EU.
- 2. Interview with former EU COPPS official, May 8, 2013.
- 3. Interview with EUPOL COPPS official a, Ramallah, April 22, 2013.
- 4. Interview with EUPOL COPPS official b, Ramallah, May 20, 2010.
- 5. Interview with DfID official, Jerusalem, April 16, 2013.
- 6. Interview with CMPD official, Brussels, March 8, 2013.
- 7. EUPOL COPPS Website, http://eupolcopps.eu/en/node/1127 (Accessed 6 June 2017).
- 8. Interview with officials from the CPCC and PCP, Brussels, June 19, 2015.
- 9. Interviews with EUPOL COPPS officials, 7 May 2018.
- 10. Interview with EUPOL COPPS official c, Ramallah, April 22, 2013.
- 11. Interview with EUPOL COPPS official d, Ramallah, September 22, 2014.

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