Palestinian Security Sector Governance: The View of the Security Forces in Jenin

The Governorate of Jenin lies in the very north of the West Bank. Predominantly an area of agricultural production, Jenin has seen strong economic decline and instability since the beginning of the second Intifada, primarily due to Israeli closure policies. Jenin has also been the focus of frequent Israeli military operations. Beginning in late 2007, the caretaker government in the West Bank undertook a security campaign (Operation 'Hope and Smile') to re-establish law and order in the governorate. Donors have been paying special attention to Jenin as a pilot governorate for strengthening the rule of law.

Launched in spring 2008, the DCAF-SHAMS Forum 'Delivering Security to the Palestinian People' aims at supporting a sustainable and inclusive Palestinian dialogue on security. The Forum brings together representatives of all stakeholder groups in Palestinian security sector reform (SSR). So far, public forum sessions have taken place in almost all governorates in the West Bank. In parallel, two additional series of working group sessions were held in Nablus and Jenin between October 2008 and June 2009 - one with civil society organisations and another one with the security forces (Spotlight No. 1 & 3 summarise the view of civil society in Nablus and Jenin respectively and Spotlight No. 2 the view of the security forces in Nablus). This issue of the DCAF Spotlight summarises the findings of the security forces working group sessions in Jenin and shows how the security forces view security sector governance in their governorate.

How do security forces in Jenin see their relations with the citizens?

Palestinian security officers in Jenin have a mixed view of their relations with the citizens. While underlining improvement in relations with the public during Operation 'Hope and Smile', they acknowledge persisting lack of trust between the people and the security forces:

What is the Security Sector?
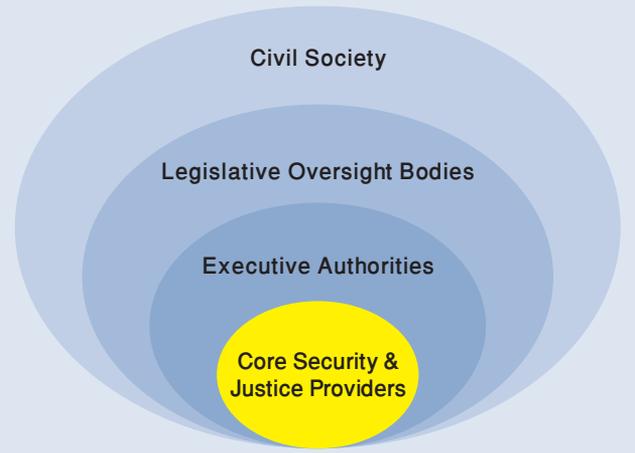
The security sector consists of the core security and justice providers and their management and oversight institutions. The legal and policy framework regulates their tasks, authorities and structures.

Core security and justice providers:

♦ Security forces (armed forces, police, intelligence and security services, but also liberation armies and insurgency groups)

♦ Justice and law enforcement institutions (courts, prosecution services, prisons, traditional justice systems)

Management and oversight institutions:

♦ Executive management and oversight bodies (Presidency, Council of Ministers, ministries of defence, interior, justice and finance)

♦ Legislative management and oversight bodies (Parliament and its committees, ombudspersons)

♦ Informal oversight institutions (civil society organisations, media, research and advocacy organisations)

Operation 'Hope and Smile' improves the relations with the citizens:

♦ 'The people in Jenin are happy because we started to apply the law on everybody without exception. The courts are now overcrowded.'

♦ 'The illegal cars we had in the governorate were dangerous. So the people support us. Once I confiscated a car from a man, and he got very upset about that. Then I visited him in his home. The next day, the man visited us in the police station and brought us sweets.'

♦ 'We confiscated an illegal car from a paralysed man in a village here. We then bought him a new one, from the police budget, because the people would not have accepted the confiscation without providing him with an alternative.'

♦ 'During Operation 'Hope and Smile', we met with the heads of the families in the villages, and they were very supportive.'

Low trust in security forces:

♦ 'The citizens see the police as their enemy. If I say something to a citizen, he considers me as being against him – even if I advise him.'

♦ 'We want to build good relations with the citizens. But the people fear us. Even the children in kindergarten think that the police are the occupation.'

♦ 'We security officers managed to implement law and order and effectively deal with the security chaos. But the citizens still do not trust us.'

Citizens are critical of security cooperation with Israel:

♦ 'Often the police arrest someone, and then the occupation forces come to the same place and arrest citizens. The people then say that we cooperate with the occupation.'

♦ 'The Israeli practices put us in a critical situation in front of the citizens.'

Lack of citizens' response to complaint mechanisms:

♦ 'At the beginning of Operation 'Hope and Smile', all security forces, including the intelligence agencies, distributed leaflets saying: 'To assert your right, you can call the following number.' But the response was limited.'

♦ 'We have the police security department, to which citizens can complain. We also want to establish an ombudsman body. But until now the citizens avoid complaining because they fear the security forces.'

Lack of cooperation between citizens and the Authority:

♦ 'Everybody is against the Palestinian Authority. I really wonder who is not against the Authority.'

♦ 'The citizens do not understand our great performance. They must keep in mind that we are also citizens. Some people and groups in society work against us.'

How do security forces in Jenin evaluate security sector reform?

While emphasising operational success, security officers have a mixed view about the broader institutional results of security sector reform. In their view, progress in restructuring security forces is hampered by a missing legal framework and weak oversight mechanisms. Security officers feel a lack of ownership of reforms and are unsure about the strategic direction of reforms.

Effect of Occupation

For Palestinian security officers in Jenin, Israeli occupation policies remain a key obstacle to their work:

Israeli occupation hampers the performance:

♦ 'The biggest obstacle for us is the occupation. It does not allow to move whenever necessary. There is no freedom of movement. Israel asks us to evacuate the city whenever they conduct an operation. Sometimes they protect people that we want to see arrested.'

♦ 'If we want to arrest someone from a village in the governorate, we cannot do that without getting a permit from the Israelis.'

♦ 'If somebody requests my help from a village in Area C, how can I do that, given that I have no authority in that area?'

Lack of economic development

Security officers in Jenin feel that the lack of economic development in the governorate undermines their efforts to implement the rule of law:

No tangible economic improvement:

♦ 'There is no noticeable economic improvement in Jenin. The industrial zones do not work. Palestinians from Israel cannot enter Jenin by car, so not many do come.'

♦ 'If we want to provide security to the people, we have to provide them with good economic conditions. The Qur'an says: 'God saved them from hunger and provided them with protection against fear'. But the economic conditions are not there, and we have high unemployment.'

Developing Security Forces

Security officers in Jenin feel that they made progress in achieving law and order in their governorate under difficult circumstances. However, they believe that improvements at the operational level must be accompanied by legal and institutional development:

Progress in training security forces:

♦ 'We made progress. I do not live in a dream world, but I know that we improved a lot in comparison with the past.'

♦ 'We are in a difficult situation. The occupation is against us, and the people are against us. Our personnel is under constant tension. So, if we commit mistakes, it is because of the tension that we experience. But we are getting better.'

♦ 'We have managed to improve our skills and trained many security officers. But we still need to do more, in all fields.'

Towards accountability of security officers:

♦ 'Many people think that security officers are above the law. But in reality it is not like this. We have started to hold our officers accountable.'

♦ 'The military police is in charge of following up complaints against security officers. We began Operation 'Hope and Smile' by punishing officers. The governor issued orders to detain senior officers because they violated the law.'

Better coordination between security forces:

♦ 'I admit that coordination mechanisms between the security forces were only activated recently, but now coordination works.'

♦ 'We have now joint meetings between the commanders at the governorate level, a joint operations room, and we also have joint patrols with all security forces. Things got much better.'

Lack of a legal framework:

♦ 'The political leadership needs to specify the competencies of each security organisation and put them into a law.'

♦ 'We are in need of better laws in order to have a clear basis for our work.'

Lack of technical capabilities:

♦ 'We do not have adequate capacities. We lack forensic laboratories and experts in forensic medicine and ballistics.'

Too many forces involved in arrest and detention:

♦ 'I recommend that only the police carry out arrest and detention. They might be accompanied by intelligence officers, but the police only should have the right to arrest people. It is inappropriate to have so many security forces carrying out arrests.'

Performance of Oversight Mechanisms

Many security officers think that public oversight mechanisms need further development. They believe that cooperation with the courts should improve and would like to see the civil society taking on a bigger role in supporting the establishment of the rule of law:

Mixed cooperation with the judicial system:

♦ 'The relations with the courts are still underdeveloped. The citizens will not trust us as long as criminals go unpunished by the courts.'

♦ 'The court releases suspects due to the lack of evidence. This might be frustrating for us, but we have to respect such decisions.'

♦ 'Recently, somebody shot at the house of a security officer in a village here. The court released the suspect because they had no evidence.'

Weak public oversight:

♦ 'It is important for us to have good relations with the citizens. We in the police visited kindergartens and schools in order to give lessons. We also spoke to parents of students on how we can develop our performance. But we need more than that.'

♦ 'How can I establish good relations with the citizens? How can I change the idea that the police is not a national institution? How can I encourage the citizens to work with us and help us?'

♦ 'We need to hold more workshops with the citizens to raise awareness. We need effective media. We cannot only depend on newspapers, we should also use audio-visual media.'

♦ 'We understand that relations with the community are key. We know that the citizen is the basic element of society. We should make the citizens aware of their rights.'

Assessment of Policy Process

For many security officers, the current security sector reform process lacks strategic direction. Security officers recognise the need for an inclusive national security policy formulation process:

Need for strategic consensus on security:

♦ 'In Gaza, you could see what happens without a shared vision. When Fatah ruled Gaza, it practised repression against Hamas and Islamic Jihad. Now the opposite occurs.'

♦ 'The political level should set policies and strategies to help specify our competencies and missions.'

Recommendations

Many security officers in Jenin believe that further efforts by the authorities are needed to improve the delivery of security in the city. They are conscious of the need to further develop their own security organisations and improve their reputation. Security officers acknowledge the lack of public trust in their performance and agree on the need to reach out to the citizens. Participants of the working group session made a number of recommendations on how to improve Palestinian security sector governance:

On the strategic level:

♦ To devise a national security policy shared by all Palestinians to guide the security sector reform process; such a security policy should receive input from all different groups of stakeholders and give strategic direction to reforms.

♦ To engage in a serious and sustainable Palestinian reconciliation process in order to overcome the current situation of political and institutional separation.

♦ To review, amend and complete the current legal framework of the Palestinian security forces in order to clearly define missions and jurisdictions.

On the institutional level:

♦ To activate the role of oversight institutions such as the Palestinian Legislative Council (PLC) and the judiciary.

♦ To improve coordination and cooperation between the security forces and judicial institutions, in particular between the courts and the public prosecution.

♦ To advance structural development of the various security forces (in terms of internal organisation, systems and processes).

♦ To strengthen internal control and accountability mechanisms in the security forces.

On the operational level:

♦ To continue the training of Palestinian security personnel to improve their professional skills.

♦ To strengthen communication with the public and establish outreach mechanisms towards civil society and the media. This will help increasing public awareness on the importance of the rule of law.

♦ To provide security forces with the necessary capacities to assume their responsibilities, in particular in terms of infrastructure and equipment necessary for combating crime.