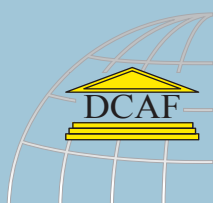


FORUM

DELIVERING SECURITY TO THE PALESTINIAN PEOPLE



Geneva Centre for the
Democratic Control of
Armed Forces (DCAF)



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Introduction

In March 2008, the Centre for Human Rights and Democratic Participation (SHAMS) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF) launched the Forum 'Delivering Security to the Palestinian People'. The aim of this Forum is to establish a sustainable dialogue on security between the Palestinian National Authority (PNA), its security organisations, and Palestinian civil society. More specifically, the Forum project seeks to:

- promote political and social inclusiveness in policy debates;
- support the development of a vision of security that is shared by civil society;
- increase transparency and accountability in security sector governance and security sector reform by promoting a culture of openness and human rights compliance;
- strengthen informal oversight capabilities through a greater involvement of civil society in security sector issues.

Between March and June 2008, DCAF and SHAMS organised Forum sessions in five governorates of the West Bank, namely in Ramallah/Al-Bireh, Nablus, Jenin, Tulkarem, and Salfit. A second series of sessions took place in the governorates of Hebron, Qalqiliya, Tubas, Bethlehem, Jericho and Abu Dis in late 2008 and early 2009. A third series of sessions will take place in the Gaza Strip.

This booklet presents the main findings of the first five Forum sessions. By providing a local perspective on the current security sector reform process, the publication aims to contribute to a better understanding of Palestinian security needs.

The booklet is directed at both Palestinian and international security sector reform practitioners. It contains the summary reports of the first five Forum sessions, starting from the Jenin Governorate in the northern West Bank, and ending with the Ramallah/Al-Bireh Governorate in the central West Bank.

This will allow the reader to compare the security needs in adjacent areas. In order to provide a better understanding of the local context, each chapter includes a map and basic background information on the respective governorate.

During the first five Forum sessions, representatives of the PNA and of civil society identified external and internal factors influencing the delivery of security to Palestinian citizens. Many of the concerns, challenges and criticisms voiced during the five Forum sessions apply to the whole West Bank. Other factors are specific to a governorate. This may stem from the varying impact of the Israeli occupation on daily life – i.e. the number of settlements and the nature of the closure system in the governorate – or from the lack of uniformity in the PNA's service delivery.

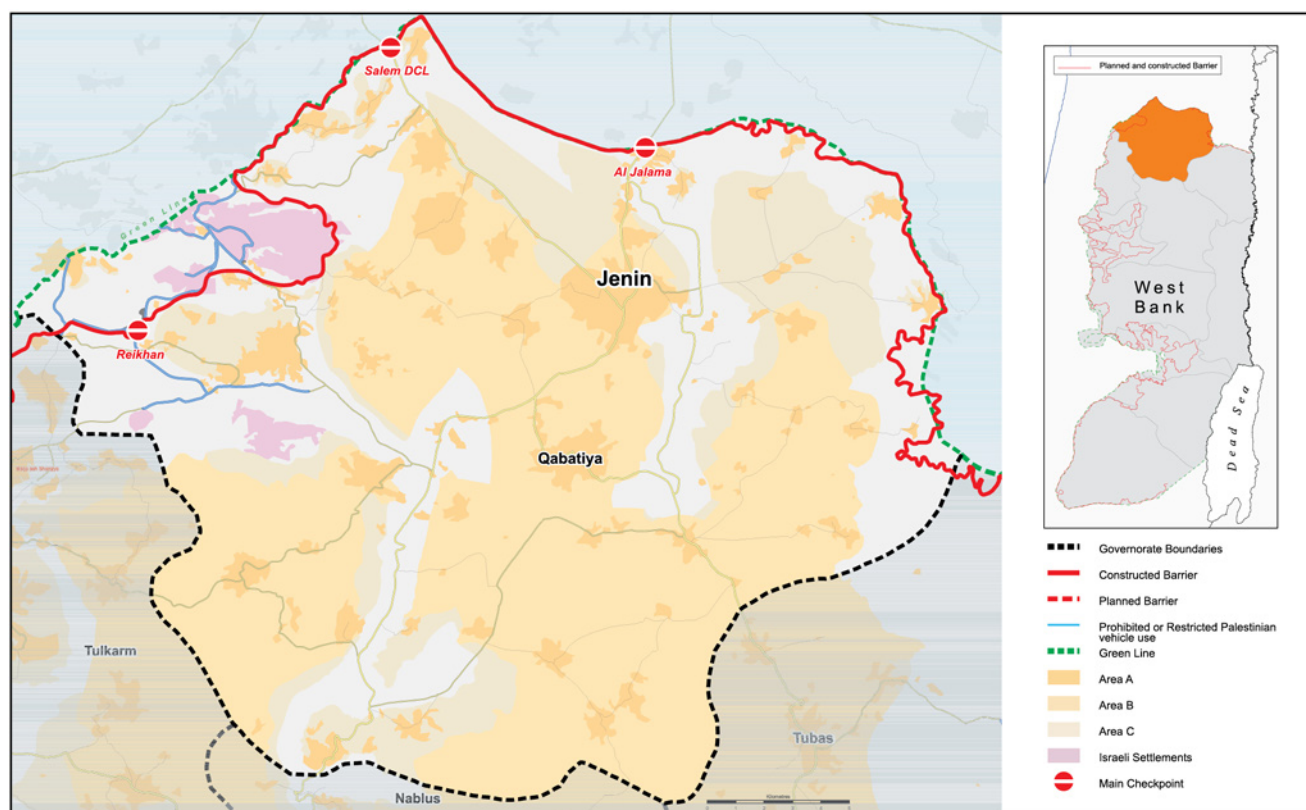
During all five sessions of the Forum, participants cited two main external factors negatively affecting their security: the ongoing Israeli occupation and donor assistance in the field of security sector reform. According to participants, the latter often conflicts with the security needs of Palestinians (as well as with international norms and standards for assistance to security sector reform).

However, participants of all the sessions also identified internal conditions that could have a positive effect on the delivery of security to Palestinians, such as:

- agreeing on a locally-owned vision of security and on a strategic direction for the security sector reform process;
- overcoming factional struggles between Fateh and Hamas;
- establishing a clear and coherent institutional and legal framework providing oversight and accountability mechanisms, and defining the mission of all security forces;
- enhancing the security forces' capabilities;
- improving the relationship between citizens and security forces.

Jenin Governorate

Jenin Governorate



Population:	256,212
Area:	583 sq km
Governor:	Dr. Qaddura Mussa
PLC members:**	<p><i>Constituency (4):</i></p> <p>Khaled Yahya (Change and Reform)*</p> <p>Azzam Al-Ahmad (Fatah)</p> <p>Khaled Abu Hassan (Change and Reform)*</p> <p>Shami Shami (Fatah)</p> <p><i>Party list (2):</i></p> <p>Jamal Mohammed Abu Al-Rub (Fatah)</p> <p>Ibrahim Mohammed Dahbur (Change and Reform)*</p>
Refugees:	Jenin refugee camp (15,854 refugees) Far'a refugee camp (7,540 refugees)
Settlements:	Henanit, Sheqid, Rehan, Hermesh, Mivo Dotan (total number of settlers: 2,124)
Checkpoints:	Ya'abad Mevo Dotan, Rilkhon Barta'a
Green line checkpoints:	Al Jalama, Salem DCL

* Imprisoned by Israel at the time of the Forum session

** *Party list and Constituency:* During the 2006 general elections, Palestinian citizens elected PLC members based on two types of ballots. Through the first ballot, the voters chose one among the several nationwide party lists. Through the second ballot, the voters chose individual candidates according to the number of seats available in his or her constituency (governorate).

The above background information, as well as that on other governorates in the remaining chapters, has been taken from the following sources: Palestinian Central Bureau for Statistics, UNRWA, OCHA, Palestinian National Authority.

Forum Session Jenin: Summary Report, 14 May 2008

Introduction

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) and Shams Centre for Human Rights and Democratic Participation organised the Forum 'Delivering Security to the Palestinian People - Challenges to Palestinian Security Sector Governance' on 14 May 2008 in Jenin. The two previous sessions of the Forum took place in Ramallah and Nablus in March and April 2008. The Forum aims to enhance the Palestinian dialogue on security sector reform. It supports a sustainable reform process based on the security needs of the Palestinian citizens. The Forum brings together representatives from all Palestinian stakeholders.

At the beginning of May 2008, Palestinian authorities launched the operation 'Smile and Hope' in the Jenin Governorate with the objective of establishing security and enforcing law and order. The operation includes the deployment of newly-trained security units and an anti-crime campaign. The Jenin security campaign and its link to security sector reform was one of the main topics that was addressed during the forum session. The event brought together more than 200 representatives of the Palestinian security forces, the Palestinian National Authority, the Palestinian Legislative Council, the Judiciary, Palestinian political factions from all across the spectrum, local authorities, civil society organisations and the media.

Establishing Security in Jenin: Challenges and Prospects

Dr. Qaddura Mussa, the Governor of Jenin, gave an overview of the goals of Operation 'Smile and Hope' and explained the way in which the security campaign was being implemented:

Operation 'Smile and Hope', in fact, actually began back in September 2007 with steps directed to protecting civil courts and judges. It was designed to offer services in the interest of the Palestinian people and to have them accept these services. Since the launch of a new stage in Jenin two weeks ago, it has aimed at applying the rule of law to everybody without exception. The operation should end with any outlaw persons or movements ceasing to exist.

Dr. Mussa explained that in the framework of the new campaign, security was understood in a broad and comprehensive fashion:

The security forces can establish security very quickly. But in order for security to be durable, they should also provide services that entail social,

economical and political strategies. This is only way to gain the respect of the people. In addition, only a wide understanding and implementation of security can help us to end the Occupation.

Dr. Mussa addressed a number of security challenges that particularly affected the Jenin Governorate, such as the proliferation of light weapons and stolen vehicles:

This phenomenon should be brought to an end. Even if many citizens have tried to go to court to legalise cars and other things, this problem needs to be solved. We will not give in on this decision, but we remain open to all sorts complaints coming from the society.

Dr. Mussa underlined that security is a fundamental human need which has to be delivered to everyone. In his opinion the role of society in achieving security was crucial. Security had to be provided by the authorities with the full understanding, agreement and participation of the citizens:

The Palestinian Authority is the only weapon against insecurity, but all decisions must be taken in a collective and consensual way. Unilateral decisions regarding security would lead to a disaster.

The Perspective of the Palestinian Security Forces

General Kamal Al-Sheikh, former Commander of the Palestinian Police, stressed that the main objective of the Palestinian security forces should be to bring an end to the Occupation. To this avail, he identified four key principles:

Palestinian security forces need to pursue the following goals: a) to defend the blood of Palestinian people; b) to guarantee the Palestinian honour, which we cannot allow to be violated; c) to protect Palestinian possessions, which cannot be confiscated; and d) to protect Palestinian individual freedoms.

General Al-Sheikh identified poverty and socio-economic decline as major obstacles that prevented the Palestinian security forces from accomplishing this duty. Yet, he was adamant that the level of education, professionalism and integrity of Palestinian security representatives was high:

Among all Palestinian security personnel, five thousand are officers and two thousand hold a law degree. Professionalism and quality of the

forces are the major guarantee on the way to self-determination.

General Al-Sheikh also said that there was an urgent need to reform the military justice system and to bring it in line with the current needs and realities of the Palestinians. Only then could the accountability of security personnel be ensured and the rights and duties of policemen clarified:

I call for the development of military justice legislation that protects Palestinian security forces and sets the rules for them to operate soundly and efficiently. If security representatives abuse their power, they should be held accountable under this law. At the same time, we need a judiciary – and mainly judges – that is capable of implementing legal decisions in such circumstances.

Finally, General Al-Sheikh underlined the importance of the freedom of expression in Palestine and key role of the media. In his view, the media had sometimes drawn a distorted picture of the security forces for the public and unfairly questioned the national commitment of the security forces. However, he called upon the security forces to respect the right and freedoms of journalists:

The media have sometimes played a negative role in denigrating the security forces, which have been portrayed as ‘not nationalistic’. Despite these harmful comments, Palestinian security forces should continue to respect all the people and refrain from committing any abuse(s) against media representatives. Defending the freedom of expression and opinion should remain one of their major tasks.

Major Othman Abdallah, representing Brigadier-General Majed Faraj, Commander of Military Intelligence, gave an overview of the main challenges concerning the implementation of the security plans of the Palestinian authorities. He emphasised that the Palestinian vision of security should not only be limited to covering the people's basic needs:

Security is fundamental for the citizens, in order to get access to food, water, electricity and other material needs. However, this should not be all. Our security plans have to be understood as a first step on the path toward self-determination of the Palestinian people and independence of the Palestinian state whose capital is Jerusalem.

Major Abdallah described the deterioration of the security situation that had preceded the security campaign in Jenin:

During the past years, the Occupation tried to have Palestinians fight against each other. As a result, the lack of security has led to a spirit of disobedience in the streets. Citizens became

insecure, incapable of surviving on their own, crime widely spread, murders increased and kidnappings took place as well as lootings, weapon trafficking and corruption.

Major Abdallah agreed with other speakers that establishing law and order required the participation of all Palestinian stakeholders, in particular societal groups and political factions:

Security is not only the concern of the security forces. It is for individuals as much as for societal and political groups. Therefore, sustainable security relies upon all citizens and on all levels of Palestinian society. But are the people convinced enough by this broad security concept? Or do they only view it as a matter that concerns police and security forces exclusively?

Brigadier-General Ziyad Al-Mashrawi, Adviser to the Commander of General Intelligence, gave an assessment of the Palestinian security sector reform process. He underlined that many factors had made reform very difficult, among them the outbreak of the second intifada in 2000 and the bloody clashes of 2007 in Gaza:

Throughout this turbulent period, we as Palestinians have realised the need for a comprehensive reform process and for the broadening of the Palestinian security forces' vision. Our concept of reform now includes civil society as a part of security sector governance, as well as oversight and legislative institutions, militias and non-statutory armed groups.

In Brigadier-General Al-Mashrawi's view, a number of factors prevent Palestinians from engaging in a comprehensive security sector reform process:

The internal struggle between the West Bank and Gaza affects all levels of social, economic and political growth. There is a blatant absence of consensus on a national security policy. Management of the security forces remains widely unprofessional. Oversight bodies such as the Palestinian Legislative Council are paralysed. Internal resistance to change can be observed within the security institutions.

However, Brigadier-General Al-Mashrawi also saw opportunities for reform:

Our society has a number of assets upon which reform can rely. Palestinian academic institutions and civil society remain strong. Reformers within Palestinian security forces play an essential role in promoting change. There should be a specific political institution in charge of embodying this trend. The President and the Prime Minister of the Palestinian Authority have insufficient weight in that respect.

Brigadier-General Al-Mashrawi underlined that there was strong political and societal will for comprehensive security sector reform. What was missing however was a thorough self-assessment process and a shared Palestinian vision of security:

For real reform to succeed, we need to identify our needs and problems in an objective way. We must reach a clear definition of a sustainable Palestinian security concept.

The Perspective of Civil Society

In her remarks, Ms. Randa Siniora, Director-General of the Palestinian Independent Commission for Citizens' Rights (PICCR), acknowledged that the overall security situation had improved to some extent. In her view, however, more security had come at the price of increasing repression:

The improvement of security we are seeing has had a cost. We have observed a regression with respect to peaceful law-enforcement measures – wilful interrogations and detentions of people have increased.

Ms. Siniora emphasised that the reform of the Palestinian judiciary was a precondition for sustainable security sector reform. In Ms. Siniora's view, it was especially the absence of a modern and civil-democratic military judiciary that posed an obstacle:

There must be a new military jurisdiction. Civilians should stop being judged under military law. Such a law should only apply to security personnel. Thus, civilian and military jurisdiction should work in parallel but without following the same regulations. In addition, there should be no interference of the Executive in the Judiciary.

In Ms. Siniora's view, arbitrary detentions and violations of citizens' rights had led to low public trust in the Palestinian security forces:

It is true that we don't understand security personnel well. But how can we appreciate them if they do not follow correct rules and proceedings? How can people trust them if citizens continue to be subjected to unfair accusations and detentions?

Ms. Siniora agreed with other speakers about the need to develop a shared Palestinian vision of security. She called for a Palestinian national security policy to be developed through political and societal consensus. Such a policy should be implemented in an accountable way:

What is the security philosophy that we pursue? There seems to be no consensus on that! We need to develop a comprehensive concept for

security and to develop instruments to measure security enforcement procedures.

Discussion

In the ensuing discussion, participants addressed the implementation of the security campaign in the Jenin Governorate, as well as its links to broader Palestinian SSR efforts. Discussants had different views about the work of the security forces in Jenin and Operation 'Smile and Hope'. Some participants felt that the security forces were operating under very difficult circumstances and had to be commended for that. They expressed support for security forces personnel who were sometimes 'exposed to deadly attacks.' Other participants were more critical of Operation 'Smile and Hope' and its effects on society in Jenin. As one participant said:

Instead of condemning people for driving stolen cars, why don't we explore ways to legalise this situation? The same is valid for the weapons - Normal people usually have permits to use weapons, but some representatives of the authorities don't. It is the weapons of the security officers that are used in an unofficial way to solve personal or family issues.

Other discussants said that they did not trust the security forces and their ability to implement law and order in Jenin. A number of participants blamed the security forces for abuses and violations of citizens' rights, which led to a lack of confidence. As one female participant explained:

Have you seen how sometimes security personnel behave with our citizens? I have witnessed abuses here in Jenin that really appalled me. How can I be sure that my children will be handled by them in a sensitive way?

Many participants made links between the current security campaign and the need for broader system-wide reforms in the security sector. In the eyes of a number of discussants, there was a need to reorganise the security forces and improve cooperation between them. They identified abuses and infringement on citizens' rights with structural shortcomings in the security organisations. One of the discussants commented that:

The authorities maintain persons accused of corruption in key-positions within the security forces, while competent people are left aside. The various positions are badly distributed. The nomination of the right people at the right position is an essential step toward reform. And the lack of organisation and coordination among the security forces is a major cause of their weakness.

In addition to structural changes, many participants also called for better training and education of security personnel. A resident of Jenin explained:

Many security forces recruits – also those of the new units – are very young and insufficiently educated people. They haven't received enough training to be up to the job. The level of education of Palestinian security officers is poor, which is a source of instability.

As to the strategic level, some discussants felt that more attention should be paid to developing a shared vision of security. In their view, the Palestinian authorities had to develop a national security policy and develop strategies for its implementation. One discussant remarked that:

The path toward reform passes through the necessary reconstruction and reorganisation of the security forces. This should be done according to a clear and agreed political vision.

In this context, many discussants called for stronger oversight and accountability. Burhan Jarrar, former member of the Palestinian Legislative Council (PLC) from Jenin, defined the reform of the judicial system and the PLC as a fundamental element of reform:

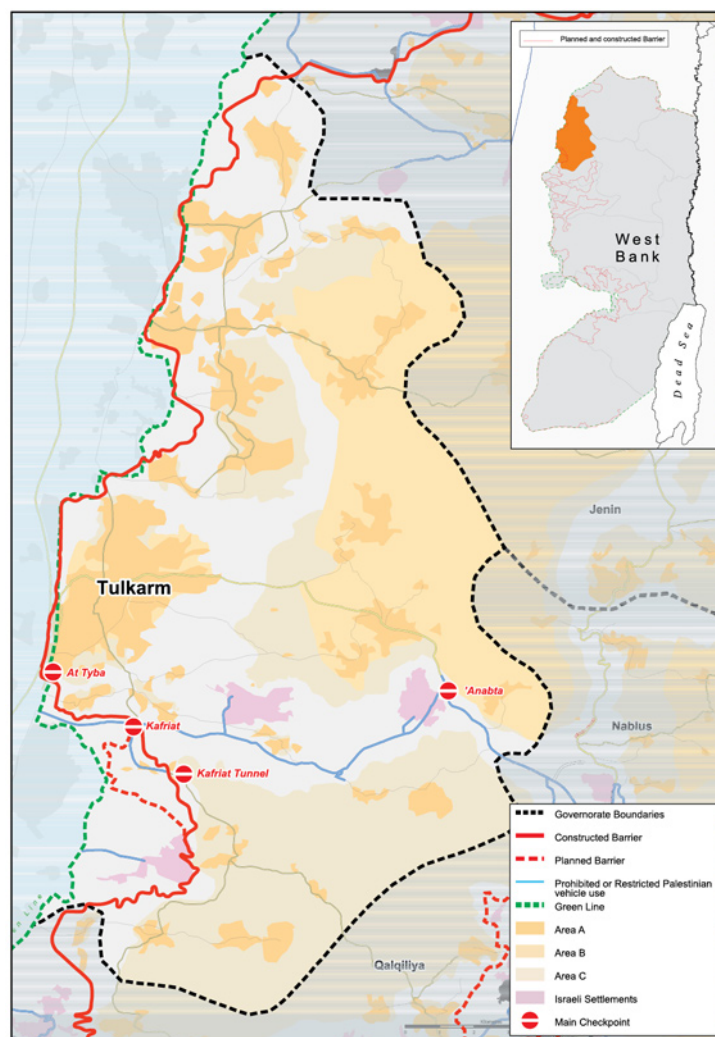
In the first Legislative Council, we promoted judicial reform as soon as 1998. However, reforms could not be implemented because of the security situation in the Territories. There remains an important gap between the practical application of security by the Palestinian Authority on the one hand, and the implementation of penal jurisdiction and legislative oversight on the other.

Participants also called for a stronger involvement of civil society in the reform process. Some discussants underlined to need to improve the relations between the security forces and society through education. Here schools and universities had to play a bigger role:

There is a strong need for more education programmes at school and in universities in order for pupils and students to understand roles and functions of the security forces. These programmes may help change the widespread perception that law- and security-enforcement bodies are necessarily bad.

Tulkarem Governorate

Tulkarem Governorate



Population:	158,213
Area:	246 sq km
Governor:	Major-General Talal Dweikat
PLC members:	<p><i>Constituency (3):</i> Hassan Abdel Fattah Khreisheh (Independent) Abdel Rahman Zeidan (Change and Reform)* Riyad Raddad (Change and Reform)*</p> <p><i>Party list (4):</i> Hakam Bal'awi (Fatah) Salam Fayyad (Third Way) Fathi Mohammed Ali Qar'awi (Change and Reform)* Siham Adel Yussef Thabit (Fatah)</p>
Refugees:	Tulkarem refugee camp (17,981 refugees), Nor Shams refugee camp (8,998 refugees)
Settlements:	Enav, Evni Hefizt, Sal'it (total number of settlers: 1,799)
Checkpoints:	Ephraim, Kafriate, Jubara, Ar Ras Kafriat, Enav
Green line checkpoints:	Al-Tayba

* Imprisoned by Israel at the time of the Forum session

** *Party list and Constituency:* During the 2006 general elections, Palestinian citizens elected PLC members based on two types of ballots. Through the first ballot, the voters chose one among the several nationwide party lists. Through the second ballot, the voters chose individual candidates according to the number of seats available in his or her constituency (governorate).

Forum Session Tulkarem: Summary Report, 10 June 2008

Introduction

On 10 June 2008, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and Shams Centre for Human Rights and Democratic Participation organised the Forum 'Delivering Security to the Palestinian People - Challenges to Palestinian Security Sector Governance' in Tulkarem. The Forum aims to enhance an inclusive Palestinian dialogue on security sector governance and reform. It supports a sustainable reform process based on the security needs of the Palestinian citizens.

Starting some months ago, Palestinian security forces began redeploying in Tulkarem to enforce law and order in the city. The Forum brought together various Palestinian stakeholders to discuss the state of the security campaign in Tulkarem and its links to more strategic questions of Palestinian security sector reform. More than 200 representatives of the Palestinian security forces, the Palestinian National Authority, Palestinian political factions, local authorities, civil society groups, women's organisations and the media attended the session. The high level of participation showed the desire of Palestinians to debate the reform of their security sector in a comprehensive fashion.

Defining the Strategic Direction of SSR: The View of the Palestinian Security Forces

In his presentation, Major-General Talal Dweikat (General Intelligence), the Governor of Tulkarem, assessed the current security situation in the Palestinian Territories and in the Tulkarem Governorate. In his view, continued instability has prevented the Palestinian citizens from living under satisfactory socio-economic conditions. As explained by Major-General Dweikat, the continuing lack of security in the West Bank put the Palestinian National Authority in a difficult situation:

The Palestinian Authority is still confronted with the practices of the Occupation, which include arbitrary arrests, detentions and targeted killings. At the same time, the Palestinian internal divisions and the resulting security chaos are major obstacles to stability. Both factors have required the Authority to introduce security campaigns, so that security is provided to all citizens.

Major-General Dweikat said that the Governorate of Tulkarem was the first region where a security campaign was launched by the Palestinian National Authority. In his view, two important lessons had been learned so far from the campaign:

On the one hand, it is now understood that law and order should apply in the first place to security personnel. Security personnel need to be held accountable for any violations of the law. On the other hand, we realised how tightly security and stability are linked to economic growth. Security is the key precondition for economic development. How could we have organised the Palestinian Investment Conference in Bethlehem in May 2008 without security?

Major-General Dweikat emphasised that establishing law and order in the Palestinian Territories was not a response to external pressures but a Palestinian need:

Are the new security measures imposed from the outside? No! It is not in the interest of Israel to have Palestinians reaching stability. The chaotic state of our internal security is therefore even more dangerous than the Occupation.

Major-General Jibril Rajub, former National Security Adviser to the President of the PNA, made a positive assessment of the ongoing security campaigns in the West Bank:

The deployment of Palestinian security forces in Tulkarem, Jenin and Nablus were key for imposing the unity of decision, of weapons and of words. This is a very positive development. The security operations were an occasion to delineate responsibilities and functions among Palestinian security forces and to build walls between them.

Major-General Rajub then went on to assess the strategic implications of the PNA security campaigns in the West Bank. In his view, the sustainable establishment of law and order in the Palestinian Territories required linking operational achievements to a strategic definition of Palestinian security. Finding a political and societal consensus on the meaning of security was a key priority for Palestinians:

We need to change the security concept from something negative into an element of strengthening national unity, independence, pluralism and freedom. The right chemistry needs to be found for this. We need to have a profound discussion in order to establish sustainable security mechanisms, and we need a serious dialogue in order to define the objectives of our security institutions. Who should participate in this dialogue? Political and security representatives at all levels. The aim must be to delineate a security strategy defined by and subordinate to the authorities.

Major-General Rajub called for a thorough overhaul of all Palestinian security institutions. In his view, the security forces and their civilian management institutions had to be rebuilt from the inside. Major-General Rajub urged the Palestinian National Authority to restructure its security sector based on national security policy and new reform strategy. Re-invigorating the National Security Council was a crucial step in this direction:

The development of a new National Security Council is required. The National Security Council should comprise three main departments: internal, external and military security. It should be headed by the President of the Palestinian Authority. We also need a centralised control and inspection body for the security forces and define the regulatory framework for their work.

Major-General Rajub stressed that the institutional reorganisation had to include building strong and independent oversight bodies:

Oversight is the magic key for control and good behaviour of the security forces. A comprehensive oversight system should involve an internal control mechanism in the forces, the Executive, the PLC, the Judiciary and civil society. It should result from a real self-assessment process.

Major-General Rajub underlined the need to depoliticise the Palestinian security forces and free them from the influence of external or personal interests:

We need to remove the security forces away from the current polarisation. What we want in the future is security institutions consisting 100% of Palestinian elements based on local expertise. We need to reconsider the external relations of our forces. Of course our security objectives are linked to the occupation, but there needs to be a wall between our forces and the US and Israeli interests. There should only be one channel of coordination. And there should be no space and no grey zones for personal interests.

Major Raed Taha, Chief Legal Adviser to the Preventive Security Organisation, assessed the state of the legal framework for the security forces. In his view, major progress had been made to put the Palestinian security forces on a sound legal basis. Developing the legal framework was crucial to having the civilian authorities exercising effective oversight.

In the past, there were no laws regulating the Palestinian security forces. For example, the Preventive Security was established by Palestinian youth who all spent lot of time in Israeli prisons. Because there were no laws, the relations between the security forces were marked by overlaps in terms of competences and mandates. Since 2005,

this situation has started to change and related legislation has been passed. For example, the 2005 Law of Service in the Palestinian Security Forces, the 2005 General Intelligence Law and the 2007 Decree Law Concerning the Preventive Security.

Defining the Strategic Direction of Palestinian SSR: The View of Palestinian Civil Society

During his remarks, Dr. Raed Nairat, Assistant Professor for Political Sciences at Al-Najah University in Nablus and Head of the Palestinian Center for Democracy, Studies and Research presented a more critical view of the current SSR process. He said that the security forces still suffered from a bad image in the eyes of the Palestinian citizens:

Behaviour and performance of the security forces have to be put into perspective. We have observed some positive developments, but there are still many questions. People continue to associate the activities of security personnel with cruelties happening in our streets. Behaviour of security personnel should be oriented in a smooth and respectful way because the security forces are there for the people. Legitimacy and respect can only be gained this way. If not we will soon be back to square one – the security chaos.

Dr. Nairat alluded to the fact that the negative image of the security forces continued to stem from the suppression of political opponents of the PNA in the West Bank. In his view, an inclusive definition of Palestinian security was crucial for enhancing the legitimacy of the security forces:

Currently security is product of a certain policy. We need to build a new security belief for the whole political system. The activities of the security forces need to be built on this belief. Security organisations should be there for everybody and not based on political factionalism.

Dr. Nairat went on to say that the current efforts of training and equipping the security forces in the West Bank led to misperceptions in the eyes of the people:

If someone follows the current build-up of the security forces, he would think that we are preparing for an army. Are we building an army or a police? Do we want to build a national army that is supposed to ensure the defence of our country, or do we want police and security forces that should secure our internal security?

In Dr. Nairat's view, Palestinians need effective law and order agencies rather than armed forces:

It is clear that we do not need an army. We need security forces that maintain internal security. This

also has a budgetary dimension. Do we really need all this money for security? We continue to invest much more in this sector than in any other area.

In his contribution, Ziyad Abu Ain, Leader of the Fateh movement, analysed the political context for security sector reform. Mr. Abu Ain said that Israeli occupation policies had contributed significantly to the political tension in the Palestinian Territories and continued to undermine the legitimacy of the security forces:

The Israeli campaigns against our security forces put them in a very difficult situation. While our forces try to protect the national project, Israel continues to attack and discredit them. This was a huge factor in the political polarisation that we witness today.

Mr. Abu Ain explained that without internal reconciliation and de-politicisation of the security forces the Palestinian SSR process was unlikely to succeed:

The division between the West Bank and the Gaza Strip has a profound impact on the very roots of our social system. We have witnessed mutual accusations of treason and infidelity and massive bloodshed. Our society needs to overcome this problem. It is very difficult but all of us should work towards it. The complete separation of the security forces from political influence and external interference has to be part of this.

In his presentation, Dr. Allam Jarrar from the Palestinian NGO Network (PNGO) underlined the link between security and economic development. Recalling that socio-economic factors were a major reason of insecurity in the Palestinian Territories, he stated:

The definition of Palestinian security has to include economic and social security. It is the role of the Palestinian Authority to ensure the social and economic welfare of the people. Fighting poverty and unemployment should be on top of its agenda.

Dr. Jarrar went on to identify five key elements of Palestinian security sector reform that had to be tackled:

Firstly, Palestinian security forces have to be trained according to a security concept that is agreed upon by all security sector institutions. Secondly, laws regulating these institutions have to be put in place. Thirdly, the accountability system should be strengthened to deal with violations of the law by security forces. Fourthly, the judicial system should be strong and impartial enough to accomplish its oversight function. And fifthly, security forces should become fully qualified to perform their task.

Dr. Jarrar agreed with the other speakers that de-politicising the security forces and developing a

national security policy were preconditions for sustainable security sector reform:

We should endorse a comprehensive security concept that protects the people and ensures security against the Occupation. And we need to ensure neutrality of the security forces. And we need national unity to achieve both.

Discussion

In the ensuing discussion, participants debated on the state of the Palestinian SSR process. Many participants openly questioned the ability of Palestinian authorities to guarantee the security of the Palestinian citizens. Several discussants were of the opinion that security could not be achieved in the absence of statehood. As one participant commented:

Is it possible to conceive security under occupation? This answer is no! Without sovereignty we cannot achieve security. Palestinian security forces' headquarters have been destroyed, and the current installations are not suitable for humans, nor even for animals.

Discussants agreed on the need to develop a national security policy that was supported by all political and societal groups. One discussant said:

Our security forces need to work within a framework of a national agenda based on mutual respect. Providing security is a collective duty.

Participants also agreed on the need for civil society to play a much bigger role in security sector governance. Various discussants called upon civil society groups to become more directly engaged in raising awareness on security-related topics and deepening the Palestinian dialogue on security. In this context, female and male participants underlined the role of women in security sector reform. As one female discussant said:

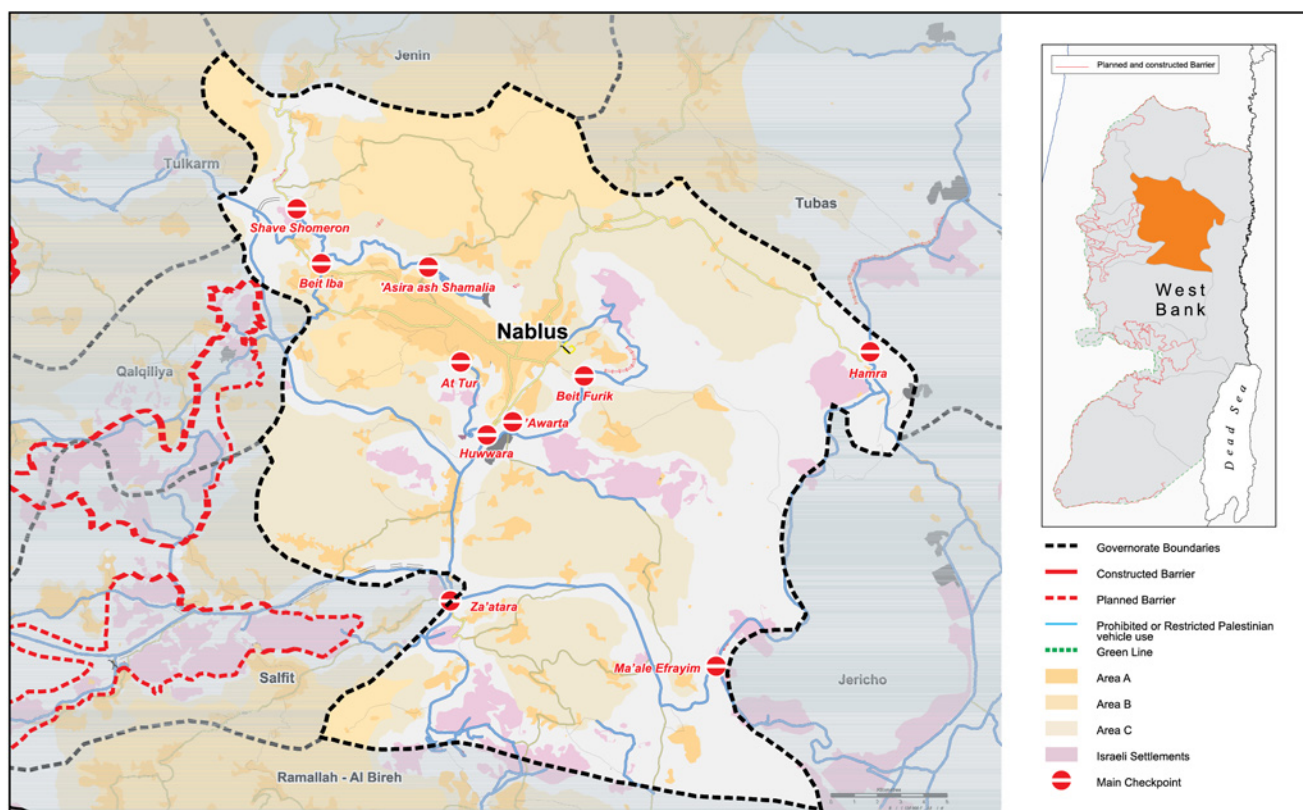
Women are playing an important role in protecting their children from external aggressions and promoting security within the society. Women also carry the responsibility of educating their children and influencing their standpoints regarding security. Therefore, woman should always remain at the heart of any security strategy.

Other participants emphasised the need for the security forces to establish better channels of communication with the citizens and called for more transparency:

Sound security sector governance should be based on transparent procedures. The persons in charge of security forces should present their plans and strategies in a clear fashion and keep their doors open for complaints and questions by the citizens.

Nablus Governorate

Nablus Governorate



Population:	321,193
Area:	605 sq km
Governor:	Dr. Jamal Moheisen
PLC members:	<p><i>Constituency (6):</i> Ahmad Ahmad (Change and Reform)* Hamed Qdayr (Change and Reform)* Mahmud Alul (Fatah) Riyad 'Amleh (Change and Reform)* Husni Muhammed Ahmad Yassin (Change and Reform)* Daoud Abu Seir (Change and Reform)*</p> <p><i>Party list (6):</i> Ahmad Ali Al-Hajj Ali (Change and Reform)* Hamed Suleiman Al-Bitawi (Change and Reform)* Yasser Daoud Mansur (Change and Reform)* Nasser Jamil Jomaa (Fatah) Najat Omar Sadiq Abu Bakr (Fatah) Muna Salim Mansur (Change and Reform)</p>
Refugees:	New Askar & old Askar refugee camps (15,591 refugees), Balata refugee camp (22,855 refugees), Ein Beit al-Ma refugee camp (5,036 refugees)
Settlements:	Humash, Shave Shemron, Yizhar, Bracha, Elon Moreh, Al Hamra, Nikhrona, Getit, Shilo, Eli, Riglim, Ma'ale Efrayim, Itamar, and Har Bracha (total number of settlers: 6,696)
Checkpoints:	Enav, Shave Shomiron, Beit Iba, Huwwara, Awarta, Asira al-Shamaliyeh, At Tur, Beit Furik, Ma'ale Efrayim, Tappuah
Partial checkpoints:	Yizhar, Al Badan, Jit

* Imprisoned by Israel at the time of the Forum session

** *Party list and Constituency:* During the 2006 general elections, Palestinian citizens elected PLC members based on two types of ballots. Through the first ballot, the voters chose one among the several nationwide party lists. Through the second ballot, the voters chose individual candidates according to the number of seats available in his or her constituency (governorate).

Forum Session Nablus: Summary Report, 16 April 2008

Introduction

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) and Shams Centre for Human Rights and Democratic Participation on 16 April 2008 organised the Forum 'Delivering Security to the Palestinian People – Challenges to Palestinian Security Sector Governance' in Nablus. The Forum aims to enhance the Palestinian dialogue on security sector reform and to support a sustainable reform process based on the security needs of the Palestinian citizens. The Forum brings together representatives from all Palestinian stakeholders.

Beginning in late 2007, the Palestinian authorities implemented a new security plan in Nablus to improve law and order in the city. The plan includes the deployment of newly trained security units and an anti-crime campaign. It was in this context that the Forum session brought more than 200 representatives of the Palestinian security forces, the Palestinian National Authority, local authorities, political factions, armed groups, academics, civil society organisations and the media. The high attendance of different stakeholders showed that Palestinians are keen to debate security sector governance and reform in an inclusive fashion.

Establishing Security in Nablus: Prospects and Challenges

Dr. Jamal Moheisen, the Governor of Nablus, in his remarks assessed the current efforts by the Palestinian authorities to establish security and law and order in Nablus. Dr. Moheisen said that the Palestinians had a comprehensive vision of security:

Firstly, security means the protection of the Palestinian citizens and their lives. Secondly, security is a precondition for political and economic stability. Thirdly, security is the basis for a liveable environment for our people. And fourthly, security remains closely linked with our Palestinian national project of independence.

Dr. Moheisen explained that the prevailing insecurity in the Palestinian Territories damaged the Palestinians psychologically and socially. In his view, insecurity jeopardised the lives of the people and hampered economic growth. Also, instability pushed Palestinians to emigrate. Dr. Moheisen said that insecurity had many reasons:

What are the reasons for insecurity here? The continuous aggressions of the Israeli occupation

against the Palestinian people, the colonisation of their land, the separation wall and the checkpoints that prevent the movements of people and the exchange of goods – all that hinders our efforts to establish security and stability.

Dr. Moheisen went on to explain that Palestinians had completely lost confidence in the agreements that were reached between Palestinian and Israeli authorities. He said that Israeli actions regularly undermined Palestinian efforts to establish security in Nablus:

In Nablus, the security chaos is acute. Israel makes frequent incursions and arrests people. And news about dismantlement of checkpoints is only there to show the media a supposed goodwill from the Israelis and their alleged concessions.

However, in the view of Dr. Moheisen, the Palestinian authorities had achieved positive results in Nablus despite the difficult context in which they operate:

We have made a lot of progress in the relations between the security forces and the people here. Polls have shown it. But of course we have also made mistakes.

Dr. Moheisen believed that the relations between the security forces and the citizens had to improve. He admitted that the challenges to Palestinian security sector governance and reform were huge. Progress could only be achieved on the basis of cooperation among all stakeholders. Dr. Moheisen called for an inclusive Palestinian security sector reform process in which both the authorities and civil society had their role to play:

If we want to deliver sustainable security, there must be cooperation from all sides. There must be a clear state policy to deliver security. And we need the technical capacities, the training to deliver. NGOs and civil society must be part of the process and not only follow their individual objectives. We have done many self-assessments, we know that the civil society wants us to reform the security forces.

The Perspective of the Palestinian Security Forces

Colonel Akram Rajub, Commander of the Preventive Security in Nablus, gave an analysis of the main challenges to Palestinian security sector reform. In his view, the reform processes required a more profound assessment of the security situation and the past

reform efforts. A radical change in the Palestinian security culture was required:

There is a need for a real revolution in the reform of our security institutions. We need to build stronger institutions based upon solid legal bases. We need a system of institutions, and not a system of individuals driven by personal interests.

Colonel Rajub said that education and rising of awareness were important elements of comprehensive security sector reform. In his view, both the citizens and the security forces had to play a role in this respect:

Our current situation is characterised by fear, chaos and crime. There needs to be a shift in the strong and deeply anchored Palestinian culture of contestation. Security organisations are not respected. They are targets of verbal as well as physical attacks without reasons. We all need to share our goals and work on this problem. The Palestinian people have the right to revolt, but this is not an individual right, but a collective and national one.

Colonel Rajub called upon the Palestinian authorities to invest more efforts in reforms. He said that the Palestinian security forces needed a deep reorganisation to pursue their missions. He explained that the security forces needed to act with more responsibility and a stronger sense of mission. Only motivated and professional security forces could deliver security to the citizens. Colonel Rajub acknowledged that better relations between the people and the security forces were a necessary precondition for security sector reform. In his view, legitimacy of the security forces was key:

Only a consensus on the importance of security and on the means how to reach it can help us to stand in front of the occupying power.

Colonel Abdallah Kmeil, former Commander of the General Intelligence in Nablus, assessed the situation in Nablus in the context of the Palestinian security sector reform process. In his view, the Palestinian citizens knew very well what the goal of security sector reform should be:

We know what is at stake when we talk about security. The Palestinian went through all kinds of situations, from the revolution to the intifada. We lived under tough security conditions and know what is needed.

Colonel Kmeil explained that Nablus had been particularly been affected by the deterioration of the security situation in Palestine:

We passed through very bitter times here. The security forces became weaker and weaker with the start of the last intifada in 2000. We saw the

birth of the security chaos in Nablus, we saw criminals taking over the city, acting against the common good, against journalists, against citizens, committing crimes, rapes and killings.

In the view of Colonel Kmeil, establishing security could also be achieved in the absence of Palestinian statehood: 'To have a state is not necessary a prerequisite for security.' He cited the performance of the Palestinian security forces before the outbreak of the second intifada as an example for providing security without statehood.

Colonel Kmeil said that in the current situation Palestinian security sector reform was dependent on three levels. Firstly, he believed that the European Union and the United States should help creating a favourable environment for reform. Secondly, Colonel Kmeil stressed on the importance of regional cooperation:

We need to understand that we do not live on an island. We need the cooperation of neighbouring countries to establish a secure environment. Our security also depends on our relations with Israel. Cooperation with Israel is an obligation for the interest of the Palestinian people.

Thirdly, Colonel Kmeil demanded comprehensive reform on the internal level. The security forces had to be profoundly restructured to meet future security challenges:

What is now requested from the Palestinian security forces is a complete reorganisation. Professionalism, efficiency and exemplarity are needed. Until now, personal conflicts hampered the reform efforts that had started in 2005. Factional conflicts, which resulted in Hamas taking power in Gaza in June 2007, were caused by failures and shortcomings in the reform of the security forces.

Colonel Kmeil concluded by saying that the strengthening of Palestinian oversight institutions, such as the Palestinian Legislative Council and civil society organisations, was essential for transparent security sector reform process:

Civil society organisations and oversight institutions should contribute to the overall reform process by providing tools for the auto-evaluation and self-assessment of the Palestinian security sector.

The Perspective of Civil Society

Dr. Khaled Dweikat, Lecturer of Political Science at Al-Quds University in Jerusalem, in his remarks gave an assessment of Palestinian security sector reform from an academic perspective. He started by underlining that the situation of security chaos in

the Palestinian Territories was not yet overcome. In his view, the continuing security chaos damaged the psychological, economic and cultural fundamentals of Palestinian society. Dr. Dweikat said that uncontrolled armed groups were still powerful, whereas the official security forces were incapable of gaining the respect of the people.

Dr. Dwaikat believed that a complete transformation of the Palestinian security forces was inevitable if security sector reform was to succeed:

A deep change must take place in the Palestinian security forces. They need to behave in a better and respectful way toward the citizens, and inspire their respect instead of fear or hatred because of their behaviour.

Dr. Dwaikat emphasised that constructive ways had to be found to engage Palestinian non-statutory security forces:

There is much chaos related to the proliferation of weapons and armed groups. Since the existence of armed groups is a fact, we should work to raise their awareness about security and the security needs of the people. We need to engage them to work for our common purpose.

In the view of Dr. Dweikat, Palestinian civil society should have a much stronger role in security sector reform. Universities and schools had an important role to play in raising awareness about security and the rule of law:

Our situation calls for a much bigger role of civil society. Our basic law is a good framework for human rights and individual freedoms but it needs more than that. Our legal system and our oversight institutions are too weak to cope with the challenges we face.

Discussion

The ensuing discussion, participants debated both the security situation in Nablus and the wider strategic direction of the Palestinian SSR process. The discussion took place in a frank atmosphere, and many participants put challenging questions.

Discussants had different views of the security situation in Nablus. Some participants thanked the security forces for their work, which they saw as taking place under difficult conditions. Others were more critical and said that relations with the security forces in the city were tense and problematic. Some discussants accused the security forces of using excessive violence and conducting illegal arrests. Referring to an attack on the Governor of Nablus in the previous week, one participant asked:

What goal do the security forces pursue when they come and shoot at the people? And what kind of reaction do they expect then from citizens?

Some participants complained about the lack of information about the fate of detained relatives and the lack of accountability for security personnel. One discussant said:

When a security man commits a crime and attacks a citizen, he should be accountable. A family member of mine was attacked without any reason and despite the fact that everybody knows about it he has not been compensated in any form whatsoever.

During the debate, participants discussed the state of the current security sector reform process. A number of participants underlined the need to find a national consensus on the meaning of security as the only basis for sustainable security sector reform. As one former security officer commented:

If we want to find out how to deliver security to the Palestinian citizen, we first have to clarify what the purpose and function of the security forces is nowadays. Do we have security forces to liberate our land or to apply the Oslo agreements and their security annexes or to protect a political party, namely Fateh? Do the security forces have the function of protecting only fragmented geographical areas or all Palestinian Territories? We need to know why the security forces lost their credibility and the trust of the people.

Other participants expressed doubts about the purpose of the security forces in light of the failure of the Oslo Agreements and the internal struggle between West Bank and Gaza.

Discussants agreed upon the need for a profound reorganisation of the security forces. Many participants from the security forces and civil society admitted that the re-structuring of the forces had not begun in earnest. One discussant from the security forces stated:

The security chaos here is due to the chaos in the security forces. Overlapping roles and personal conflicts hamper delivering security to the people. Lots of things still depend on individual acquaintances and nepotism. We need a complete reorganisation.

Another female representative of the security forces said:

We are dealing with a situation of chaos on a day to day-basis. We need security decision-makers that make sure that our cadres are serious about their job and do not transgress their authorities.

We have too many security organisations without coordination.

Ghassan Shaka'ah, former mayor of Nablus, confirmed these assessments:

There is no coordination between the security forces at all. Each apparatus makes its own decision. We need exchange of information and clear delineation of roles and tasks. What happens now is that the National Security Forces and the Preventive Security do not share any of their information with the Police.

A number of discussants believed that the development of a strong legal framework for the security sector was a key precondition for sustainable reform and efficient work by the forces. As one participant said:

There cannot be any reform of the security forces without strong a legal basis. Efforts can only be rendered credible on a strong legal basis.

Participants felt that the Palestinian security forces had to act more professionally to deliver tangible security to the citizens. Some discussants were, however, unsure whether the current re-organisation of the security forces was contributing to this aim. One participant criticised the PNA's downsizing strategy:

A vast campaign of retirement has been launched, but without prior studies or strategic planning. What is the aim of that campaign? What is the target group? Why should this officer retire and that one stays in his job?

Discussants from all stakeholder groups agreed that oversight mechanisms had to be strengthened in the Palestinian security sector. As one representative from the security forces said:

We need stronger oversight institutions, so that the security forces can play their role with full accountability, and also for our national cause not ending up in failure.

In the view of many participants, civil society needed to play a bigger role in communicating the security needs of the Palestinian citizens and in overseeing the security forces. One participant said that there had to be a stronger link between non-governmental organisations and the security organisations. Another discussant said:

I want to stress that the role of academia and schools in raising awareness about security issues is very important.

Many participants felt that strengthening the role of Palestinian media was crucial. They agreed that for security sector reform to be successful it had to be transparent and legitimate in the eyes of the citizens. One discussant from the security forces stated:

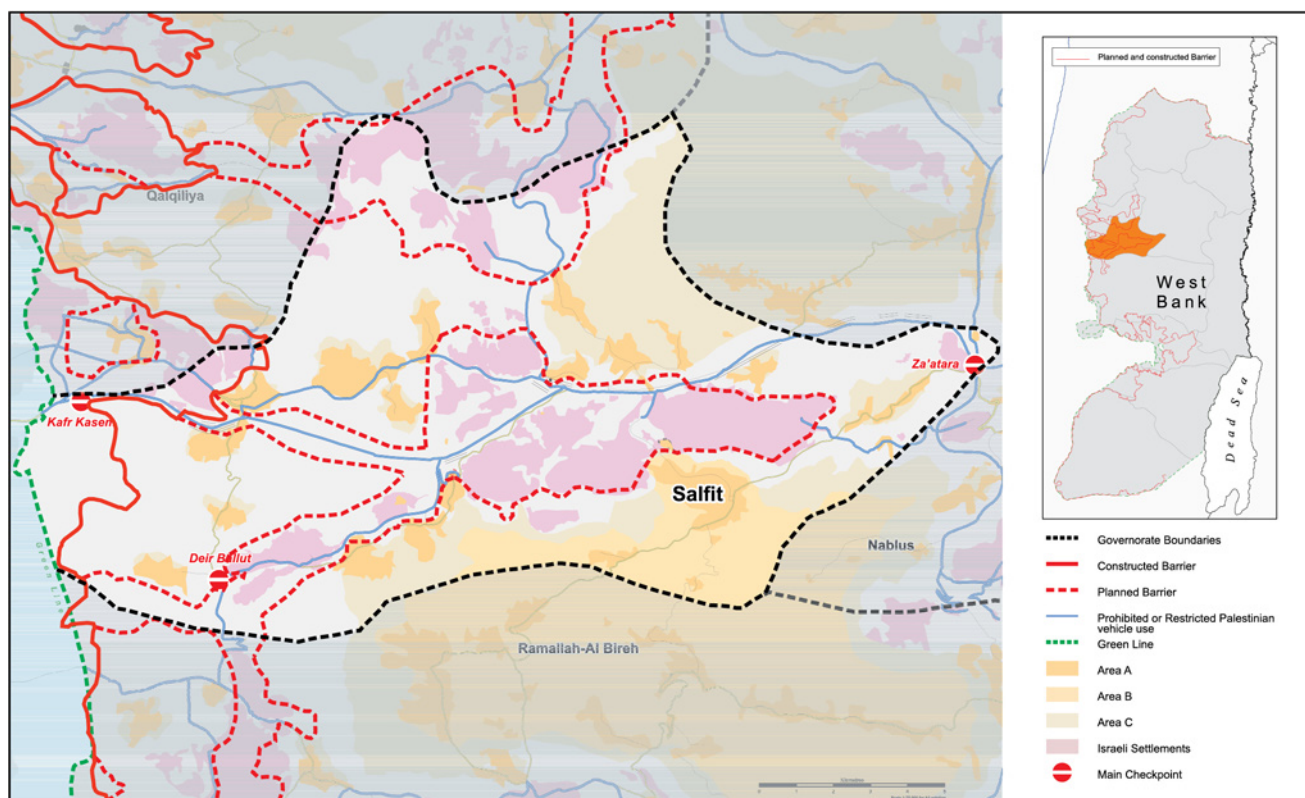
In my eyes, the role of the media is fundamental. If we want to have a strong link between the forces and our people, the media must be empowered. The relationship between the media and the security forces must be respectful and complementary.

However, a number of participants cautioned that the security forces still had a long way to go in this regard. As a representative of the media said:

Security forces are in charge of providing security to the people. Therefore, they bear huge responsibilities within the society. As a journalist, I have to say that it is very difficult to get access to them and to information.

Salfit Governorate

Salfit Governorate



Population:	59,464
Area:	204 sq km
Governor:	Brigadier-General Munir Abbushi
PLC members:	<p><i>Constituency (1):</i></p> <p>Nasser Abdel Jawwad (Change and Reform)*</p> <p><i>Party list (1):</i></p> <p>Omar Mahmud Abdel Razzaq (Change and Reform)*</p>
Settlements:	Alqana, Iz Itifarim, Malih Shemron, Nofim, Yaqir, Immanuel, Kfar Tappuah, Ariel, Qriyat Natafim, Berqan, Ali Zahav, Beduel (total number of settlers: ca. 40,000)
Checkpoints:	Azzun Atma, Tappuah, Deir Ballut

* Imprisoned by Israel at the time of the Forum session

** *Party list and Constituency:* During the 2006 general elections, Palestinian citizens elected PLC members based on two types of ballots. Through the first ballot, the voters chose one among the several nationwide party lists. Through the second ballot, the voters chose individual candidates according to the number of seats available in his or her constituency (governorate).

Forum Session Salfit: Summary Report, 18 June 2008

Introduction

On 18 June 2008, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and Shams Centre for Human Rights and Democratic Participation organised the Forum 'Delivering Security to the Palestinian People – Challenges to Palestinian Security Sector Governance' in Salfit, northern West Bank. Launched in early 2008, the Forum aims to enhance the Palestinian dialogue on security sector reform and supports a sustainable reform process based on the security needs of the Palestinian population. The Forum brings together representatives from all Palestinian stakeholder groups, including security officials, political leaders and civil society. The Forum's sessions take place in all Palestinian governorates throughout the West Bank and the Gaza Strip.

The Governorate of Salfit is the smallest and youngest governorate in the West Bank. Located between Ramallah and Nablus, it was established in 2006. During the summer of 2007, Palestinian authorities began to implement a new security plan in Salfit. Its implementation went through various stages and continued throughout the summer of 2008; it included the reorganisation of the Palestinian National Authority (PNA) security forces on the ground, the deployment of newly-trained security personnel, and a number of anti-crime operations. The Forum's participants discussed the impact of the security plan in the context of the broader Palestinian security sector reform process. The session brought together more than 200 representatives of the Palestinian security forces, the Palestinian National Authority, local authorities, political factions, armed groups, academia, civil society organisations, and the media. The high number of attendants representing different stakeholders showed that Palestinians are keen to debate security sector governance and reform in an inclusive fashion.

Rebuilding Security Capabilities: The View of the Palestinian Security Forces

In his remarks, Brigadier-General Munir Abbushi, Governor of Salfit, presented the main challenges to Palestinian security sector reform. He started by commending Palestinian security forces for their performance under very difficult circumstances:

Security forces should be proud of themselves. Even Europeans and Americans wonder how Palestinian security personnel could serve for three years without receiving salaries.

Brigadier-General Abbushi distinguished between external and internal constraints that hamper Palestinian reform efforts. Referring to the large presence of Israeli settlements in the Salfit Governorate, he explained that the Israeli occupation is the main external obstacle to reform:

We should not forget that Palestinian security forces and their infrastructures were completely destroyed by the Occupation over the past years. Nowadays, movement restrictions in the West Bank still prevent Palestinian security forces from controlling the territory. To be clear: even if we cooperate with the Israelis, we are suffering. They could break up our meeting at any time, and no one can prevent that.

Brigadier-General Abbushi went on to point out internal factors that prevent effective reforms. He explained that organisational confusion between the different types of security forces and unclear missions have been hindering the effective delivery of law and order to the population:

In the past, there were fifteen different Palestinian security forces, which were not always aware of their respective mandates. This situation led to clashes within these organisations as well as between some of them.

In Brigadier-General Abbushi's view, political factionalism in the Palestinian Territories and the control of the Hamas movement over the Gaza Strip further impeded reforms.

According to Brigadier-General Abbushi, the main goal of security sector reform (SSR) is to build effective security capabilities in order to deliver security to the people and protect Palestinian political institutions. Even though there has been some progress in the reorganisation of Palestinian security forces, Brigadier-General Abbushi explained a lot still has to be done:

We are in dire need of security forces that protect the security of the citizens, regardless of factional struggles. The government also made great efforts to create security forces that protect the executive, legislative and judicial authorities. To this end, it should establish a structure containing only three types of security forces: national security forces, internal security forces, and intelligence agencies.

In Brigadier-General Abbushi's view, protecting the caretaker government's institutions in the West Bank is a main priority in the current reorganisation process of security forces:

We want to strengthen security organisations in order to protect the democratically elected regime. We want to avoid what happened in Gaza, which is very dangerous and has terrible repercussions.

Brigadier-General Abbushi ended his remarks by calling for a comprehensive security sector reform process that includes Palestinian civil society as well as relevant security and justice providers:

Palestinian citizens should identify their needs in terms of security, both on internal and regional levels. Citizens in all governorates should cooperate with Palestinian security forces by participating in the current security campaigns. The reform should be comprehensive and include the judiciary, which is in a worse shape than security forces.

Major Loay Shaaban, Spokesman for the Palestinian Civil Police in Salfit, explained the PNA's security policy in the West Bank. Major Shaaban said the PNA aims to pacify the situation in the West Bank, confiscate illegal weapons and cars, and fight against killings. He gave examples of operations that, in his view, were successfully conducted by Palestinian security forces:

Palestinian security campaigns have proved successful in Nablus, Tulkarem and Ramallah. These cities' situation in terms of economy, health and social security demonstrate the success of the security campaigns. These campaigns will continue and the PNA will establish the rule of law in all governorates.

Major Shaaban underlined that close cooperation between security forces and the people has been key for the success of the security campaign in Salfit. Law and order can only be sustained through mechanisms of communication between security forces and citizens:

I would like to thank the citizens of the Salfit Governorate for assisting us in getting rid of illegal cars. Security forces are willing to hold meetings with the people to raise awareness and show we are here to serve them.

In his presentation, Mr. Imad Mussa, Head of the Planning Department at the Salfit Governorate, considered the current security operations in the West Bank in the larger framework of SSR. Mr. Mussa acknowledged that security forces still face mistrust from citizens. In his view, the absence of a broadly accepted vision of Palestinian security prevents better relations between the people and the authorities. As Mr. Mussa explained:

Our view of security is not unified. Some people think security forces only protect their own

interests. Others believe that security forces only serve the occupation, not the population. They think security forces should fight the occupation. Some feel those forces are being used to implement regional security plans and strategic ambitions, while others consider security forces serve political factions. Security forces are divided along factional lines because of conflicts between Palestinian political movements.

In Mr. Mussa's view, only the development of a long-term vision of Palestinian security as well as a national security policy could guarantee that the current SSR process produces lasting results. This would also help convince the citizens that security forces are working for their good:

We must define a common vision for all security institutions, which should be the basis for a national security policy. This vision should be based on a clear threat analysis, which spells out security objectives and determines needs and budgets. We should reorganise security institutions - some of them should merge - and delineate their rights and duties.

Mr. Mussa concluded by underlining the importance of security forces oversight for gaining public confidence:

Oversight is important. Although the Palestinian Legislative Council (PLC) is currently paralysed, civil society institutions continue to exercise oversight. Such oversight mechanisms should ensure our national project is in line with international agreements that have been signed on behalf of the Palestinian people.

Strengthening Oversight and Accountability: The View of Palestinian Civil Society

Mr. Samir Abu Shams, Field Officer at the Independent Commission for Human Rights (ICHR), gave an overview of the current oversight mechanisms in the Palestinian National Authority. In Mr. Abu Shams' view, strengthening oversight should be a key feature of the SSR process. As he explained:

Security forces often need guidance and orientation. Oversight is very important because clashes still occur between security forces. Moreover, a lot of people are still unaware of the meaning and scope of human rights.

Mr. Abu Shams further explained that security forces often act with disregard to legal procedures:

Security forces must make an effort before arresting people, not after. Some security personnel have a backward understanding of

the presumption of innocence: they believe the accused should be considered guilty until proven innocent.

According to Mr. Abu Shams, strengthening the independence and effectiveness of the judiciary should be a key element of security sector reform:

There must be equality before law. We cannot always blame the occupation for our own shortcomings. The courts themselves sometimes create obstacles to the law's application. That reflects negatively on security forces, who are supposed to cooperate with the judiciary. Reforming the judiciary is therefore of high importance.

Mr. Abu Shams concluded by underlining the importance of the principle of professionalism for security forces. Only politically neutral and properly controlled security forces can gain the population's trust:

According to democratic principles, the work of the security forces should never be affected by politics. Palestinian security forces must be independent from political streams and factionalism in order to serve the people.

In his remarks, Dr. Abdelkarim Barghuthi, Professor of Philosophy at Birzeit University, underlined the need for a mental shift among security personnel. Recognising that Palestinian security forces work under difficult conditions, he recommended to educate security personnel in order to regain the trust of the citizens:

Security and police officers should be trained in order to acquire the analytical skills and psychological ability needed to analyse the issues they are confronted with. Through training, officers will learn how to handle external pressure. They should be able to refuse to execute an order if it contradicts their values or assessment. Only then will they be able to gain public trust. Furthermore, security personnel education is the only way to end the culture of tyranny that prevails within security forces.

Dr. Barghuthi went on to say that the current SSR process did not put enough emphasis on education based on civil-democratic principles. He criticised the Palestinian authorities for adopting what he considers misguided recruiting and education policies:

We now see vacancy announcements encouraging people who do not have high-school degrees to apply for positions within the police. Why is the government offering to employ people who failed in school? Why does the government not motivate those who fail to achieve better results? Why wanting to employ them in the police?

Dr. Barghuthi underlined that the politicisation of security forces is a major obstacle to the establishment of law and order in the Palestinian Territories. He called upon the authorities to stop arbitrary arrests of the population:

Political detention cannot be accepted by any standard, be it international or Palestinian. Arrests based on political affiliation are foreign to Palestinian history. A person should not be arrested based a factional basis, but on his actions.

Dr. Barghuthi finally called for a comprehensive debate on the vision of Palestinian security. This debate should lead to a proper normative framework for the security forces:

We need an integrated and comprehensive vision of security, based on our democratic system. In this context, we need a law that defines criminal activities and prescribes punishments. We also have to ensure that security organisations are politically neutral.

Discussion

In the ensuing debate, participants discussed the implementation of the PNA security plans in Salfit and other governorates of the West Bank. Participants paid special attention to the issue of detention of citizens by the security forces. A number of discussants were critical of the authorities' arrest practices and highlighted what they consider illegal detentions. As participants remarked:

An arrest based on Fateh or Hamas affiliation is a political arrest; and a political arrest, based on factional background, is against human rights. Another issue concerns the questioning of underage youth: why is the police allowed to examine them in the absence of their parents or any other person in charge?

Discussants were also critical of the authorities' interference in civil society organisations:

University heads of departments say they are being pressured to reject some applicants based on their factional background. Furthermore, security forces have closed down cultural centres whose opening had been previously authorised by the Ministries of Culture and Interior. How is it possible to do that without any justification?

Brigadier-General Abbushi denied that the PNA conducts political arrests. In his view, the security forces' detention practices are in accordance with the Palestinian law:

All armed groups are outlawed by the authorities; the only legal weapons are those used by security forces. As a matter of principle, we are not against the factions, but anyone who uses his political affiliation in a wrong way will be arrested.

Discussants also commented on the political dimension of the current SSR process. According to many participants, factionalism and political fragmentation are serious obstacles to sustainable reform. They called for national dialogue between all groups of stakeholders in SSR to overcome internal divisions within the Palestinian Territories. As one discussant remarked:

It is true that Palestinian security institutions are repressed by the occupational power. It is difficult for them to work and establish security under such circumstances. But internal political divisions are also delaying the reform process. The only solution to this problem is political.

Other speakers blamed the authorities in the West Bank for their perceived lack of willingness to engage in a meaningful national dialogue:

Hamas is elected. The resulting problem needs to be solved on the political level.

I remind the governor that, given the reconciliation document and the Mecca agreement, not much remains to be discussed. The agreement only needs to be implemented.

In many participants' view, the national dialogue should result in the development of a Palestinian national security policy. Only through such a policy can a sustainable and legitimate reform process be achieved:

We need a comprehensive security policy. Security forces as well as the people bear responsibility for developing and implementing this policy.

A number of participants criticised what they considered a lack of coordination between security organisations and judicial institutions. In their view, to the aim of SSR is to ensure that security forces work in an efficient fashion:

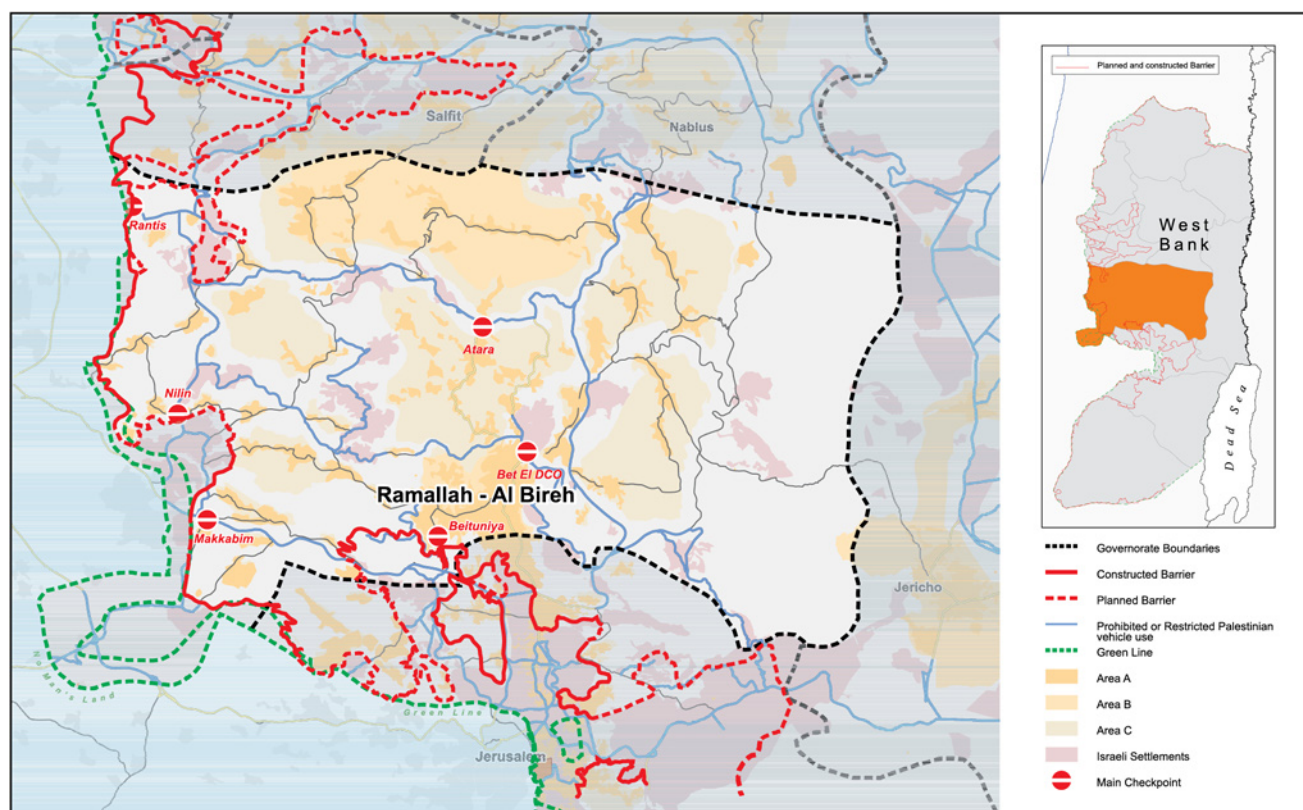
One of the most important obstacles facing the security sector is the lack of harmony between the judiciary and security forces. Their procedures should be fine-tuned in order to respect the people's rights and to implement reforms.

Finally, participants and civil society speakers agreed on the need for functioning accountability mechanisms. One discussant remarked:

There is no doubt that security forces sometimes violate the law. Despite the existence of laws and judiciary bodies, it looks like laws are not enforced. The issue is whether there is an agency that can really ensure security forces are accountable. A huge gap remains between security forces' practices and written judiciary procedures.

Ramallah/AI-Bireh Governorate

Ramallah/Al-Bireh Governorate



Population:	278,018
Area:	855 sq km
Governor:	Dr. Said Abu Ali
PLC members:	<p><i>Constituency (5):</i> Hassan Yussef (Change and Reform)* Fadel Hamdan (Change and Reform)* Ahmad Mubarak (Change and Reform) Mahmud Muslih (Change and Reform)* Muhib Salame (Fatah)</p> <p><i>Party list (13):</i> Qais Kamil Abdel Karim Khader (Badil) Bassam Ahmad Omar Salhi (Badil) Mustafa Kamil Mustafa Al-Barghuthi (Mubadara) Ahmad Sa'dat Yussef Abdel Rassul (PFLP)* Mahmud Ahmad Abdel Rahman Ramahi (Change and Reform)* Marwan Hasib Hussein Al-Barghuthi (Fatah)* Abdallah Mohammed Ibrahim Abdallah (Fatah) Rabiha Diyab Hussein Hamdan (Fatah) Abdel Jabbar Mustafa Fuqaha' (Change and Reform)* Jihad Mohammed Tommaleh (Fatah) Maryam Mahmud Saleh (Change and Reform)* Khalida Jarrar (PFLP) Hanan Ashrawi (Third Way)</p>
Refugees:	Am'ari refugee camp (10,377 refugees), Deir Ammar refugee camp (2,335 refugees), Jalazone refugee camp (10,966 refugees), Qalandia refugee camp (10,759)
Settlements:	Beit El, Geva Binyamin (Adam), Kokhav Ya'acov, (Abir Ya'acov), Ofra, Pesagot, Remmonim, Kokhav Hashahar, Ma'ale Levona, Nilli, Na'ali, Halamish, Neve Zof, Ateret, Nahal'el, Talmun, Dolev, Horun, Mevo Horon, Maccabim, Modi'in Illit, Hashimo'im, Metityahu, Shilat, Lapid, Mnura, Kfar Ruth, Efrayim (total number of settlers: 77,120 settlers)

Checkpoints:	Hizma, Nilin, Jaba, Atara, Bet El DCO, Beituniya
Partial checkpoints:	Al Taybeh, Al Nabi Salem

* Imprisoned by Israel at the time of the Forum session

** *Party list and Constituency:* During the 2006 general elections, Palestinian citizens elected PLC members based on two types of ballots. Through the first ballot, the voters chose one among the several nationwide party lists. Through the second ballot, the voters chose individual candidates according to the number of seats available in his or her constituency (governorate).

Forum Session Ramallah/Al-Bireh: Summary Report, 12 March 2008

Introduction

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) and Shams Centre for Human Rights and Democratic Participation on 12 March 2008 organised the Forum 'Delivering Security to the Palestinian People - Challenges to Palestinian Security Sector Governance' in Ramallah/Al-Bireh. The Forum aims to enhance the Palestinian dialogue on security sector reform and to support a sustainable reform process based on the security needs of the Palestinian citizens. The Forum brings together representatives from all Palestinian stakeholders.

More than 250 representatives of the Palestinian security forces, the Palestinian National Authority, the Palestinian Legislative Council, the Judiciary, political factions, local authorities, civil society organisations and the media attended the event. Local and international media such as *Al-Jazeera Mubasher* provided extensive coverage of the event. The high number of participants showed that Palestinians are keen to debate the objectives of Palestinian security sector reform in an inclusive fashion.

Determining the Strategic Direction of Palestinian SSR

Mr. Nasser Rayyes from the NGO 'Al-Haq – Law in the Service of Man' in his opening statement assessed the Palestinian security sector reform process. He said that the Palestinian Territories had experienced a dramatic deterioration in security since the Israeli reoccupation of the West Bank cities in 2002. In his view, security instability had turned into chaos after the 2006 legislative elections and the bloody clashes in the Gaza Strip in 2007. Mr. Rayyes said that without unity between the Palestinian factions security sector reform was impossible. He added that political fragmentation made the formulation of any strategic response very difficult. Mr. Rayyes called for the development of a comprehensive legal framework to set the parameters for political action and reforms. Security sector reform, he underlined, needed continuous interaction between all stakeholders and a dialogue between the security forces and civil society.

Only in that way the reform process could be legitimate: 'The most urgent need for the PNA is to regain its lost credibility in the eyes of the citizens.'

Major-General Jibril Rajub, former National Security Adviser to the PNA President, analysed the main challenges in providing security for the citizens. Firstly, the Palestinian context was unique in terms of security sector governance because the PNA was not a state:

The occupation of the Palestinian Territories and the constant lack of stability make up for a large part of the problems faced by the PNA in enforcing security. The occupier tends to exploit the Palestinian security agenda for its own security needs

Secondly, General Rajub pointed out that internal political factors hampered security sector reform: 'Our factional struggle hinders the reform of our security forces.' He explained that there were two contradictory visions of Palestinian security. The first vision was 'to preserve the security institutions established in the framework of the Oslo Agreements and keep them intact.' The second vision was 'to engage in an open conflict with Israel.' This however would have 'led to the complete destruction of the security forces.' General Rajub emphasised that the absence of a common vision of security had resulted in unclear mandates and roles of the security forces.

Thirdly, he cited historical reasons for the lack of progress in security sector reform. He explained that the transformation of the Palestinian Liberation Organisation (PLO) from a revolutionary movement to a territorial political entity was not yet complete.

Fourthly, General Rajub said that societal factors posed an important obstacle to security sector reform. Pointing at the disintegration of Palestinian society, he noted that the original values of the Palestinian revolutionary movement and the Palestinian national cause had gradually lost their relevance. Fifthly, he conceded that the security forces themselves had made mistakes that had resulted in the loss of public confidence:

The security forces bear their share of responsibility for the current instability in the Palestinian Territories by having for too long promoted force instead of gradual institution building and reform.

Those in charge of the security forces still have to make a mental shift in order to address today's challenges.

Despite these obstacles, General Rajub was adamant that the Palestinians were committed to establishing their state. Ending the occupation and building a state with effective authority over the Palestinian Territories remained the shared goal of all Palestinians. Once this goal was achieved, political relations with Israel would replace security cooperation. General Rajub emphasised that internal stability was the overriding security imperative of the future Palestinian state. This would lead to economic growth and regional stability.

General Rajub went on to say that security sector reform was an integral element of state-building and identified four layers of reform. Firstly, the interpersonal relations within the various security forces had to improve. Secondly, the coordination between the different security organisations had to improve. Thirdly, there was a dire need to improve the relations between the security forces and the people. And fourthly, the relations between the security forces and the political leadership had to be defined:

Implementing reforms requires a dialogue between the security forces and the political echelon. This dialogue has to take place in full transparency, not under the table or behind the scenes. It has to take place in a clear and responsible way.

In General Rajub's view, the pre-condition for successful security sector reform was the definition of a new concept of Palestinian security. While security had been traditionally linked to the national struggle, it should now be translated into the common good for all Palestinians. This should be done in the framework of the 1994 Oslo Agreements:

In the aftermath of Oslo, the PNA's security agenda depended on the Agreements or on the orders of the late President Yasser Arafat. The security agenda was implemented in close coordination with the Israeli authorities. However, we did not have the necessary tools to succeed. We have realised that we cannot achieve our national goals without a comprehensive understanding of security in our society.

General Rajub concluded his remarks by calling upon the Palestinians to discuss a national security policy. He admitted that the level of trust between the security forces and the citizens was weak but dialogue was the only solution to this problem:

We all have to work actively in the areas where our political and security objectives are contiguous. To solve the problems faced by our nation, we need to define our common strategy and agree upon the tools required to accomplish our national project.

Involving Palestinian Civil Society in SSR

Dr. Ahmad Musleh, Professor in Law at Birzeit University, gave an academic perspective on the state of Palestinian security sector reform. He agreed with General Rajub that 'for many in the PNA the change from revolutionary political thinking to the new vision of state-building is difficult.' However, in Dr. Musleh's view the current reforms were an example that change was possible:

We engage in security sector reform not only because of the mistakes that occupation made us commit but also because of the misconduct of the our security forces.

Dr. Musleh said that Palestinian National Authority had started a number of security sector reform projects, such as administrative reforms in the Palestinian Legislative Council and the Ministries of Interior and Planning. The rebuilding of security facilities, including the headquarters of the Civil Police and the National Security Forces, were another important step.

However, in Dr. Musleh's view, regaining the legitimacy and credibility of the security forces in the eyes of the citizens had to be a top priority for reform. The involvement of some security forces in internal power struggles and the actions of Palestinian opposition groups had led to a significant loss of trust:

The security forces are partially involved in the struggle against elements of the Palestinian resistance and have caused damage to opposition groups. This has contributed to the dramatic loss of trust and credibility in the eyes of the Palestinians.

Dr. Musleh underlined the tension between Palestinian reform needs and donor pressure that made the strategic management of the reform process difficult:

In our reform process, we have to define the boundaries for the powers of the PNA on the one hand and to contain foreign interference in our national affairs on the other. This adds further pressure on everybody.

Dr. Asem Khalil, Lecturer at the Institute of Law at Birzeit University, assessed the state of the rule of law in the Palestinian Territories. He agreed with the other speakers that security sector reform was crucial for the Palestinians to help them realise their national aspirations. The role of the security forces in this context was to deliver security to all citizens in a tangible manner. To achieve that, it was important to link the ongoing reorganisation of the security forces to the reform of the Palestinian judiciary. Dr. Khalil went on to stress important role of civil society had to play in security sector reform:

Reform should not come from above without dialogue and without the involvement of civil society. Security forces must protect the citizens and not only the regime in place. The opinion of the Palestinian citizens has to be taken into account. Citizens must be able to consider the security officers as members of the society and feel that they are part of the reform process.

Dr. Khalil added that the security forces had to adhere to the law and respect the legal and administrative procedures in place:

Even if a country is occupied, even under difficult conditions such as the ones here in Palestine, a citizen needs to be able to leave his house and make a complaint with a legitimate court. He must have the right to be listened to and to have his case followed up.

Discussion

In the ensuing discussion, participants agreed that the formulation of a shared and locally-owned vision of security was key for sustainable security sector reform. They also agreed that a consensus on the meaning of Palestinian security was a precondition for achieving statehood. Yet, many factors made developing such a consensus difficult:

There are many reasons why we have no clear vision of security in the Palestinian Territories. The lack of vision is the result of contradictory interests of the various political parties and their armed wings, but also of the interference of the occupation and various regional powers.

What happened in Gaza in June 2007 was for a good part caused by the fact that many people in the Strip were considering the security forces not as an organisation meant for the protection of the people, but as forces defending a particular political party.

A number of discussants thus called for the renewal of the intra-Palestinian dialogue:

In our current situation, political factions and especially Fatah and Hamas need to engage in dialogue. We need an inclusive reform process and a real national dialogue.

And even if we find common procedures for reform it remains fundamental to define what the overall national goal is and what the shared values are that need to achieve this goal.

Other discussants were more sceptical regarding the possibility of reform progress in the current context. They felt that the internal struggle made security sector reform almost impossible. Some participants therefore suggested to hold new legislative and presidential

elections before embarking on reform plans that were not sustainable.

Discussants agreed that the security forces had to provide security for all citizens if they wanted to restore their credibility. A number of participants underlined that the security forces were still failing to respond to the security needs of the citizens:

The security forces are unable to cross the barrier of fear that exists between them and the citizens. The latter need a new concept of security that needs to be based on mutual trust and cooperation – a complete change in mentality on part of the security forces.

Several discussants from the security forces and civil society put the blame for the lack of security on the security leadership and accused security commanders of not being serious about reform. One participant from the security forces said:

The current commanders and the personalities who formerly occupied commanding positions within the security forces have not promoted any relevant change despite their ability to present themselves as reformers.

Another participant from civil society stated:

The political forces have supported a dictatorial system, in which families are controlled by the ruling party and only care about the benefits for themselves.

Other participants added that the security forces had lost their legitimacy because they could not protect the people against Israeli military actions and incursions.

Many discussants felt that security sector reform needed more transparency to succeed. They called for a change of mentality in the security forces and for the strategic involvement of civil society in security sector governance. Others stressed that the Palestinian media had an important role to play here:

The media are key in the reform process. We need a new culture of openness and transparency to transcend factional conflict in our society.

Conclusion

Best practice shows that the success of any security sector reform is determined by its ability to take local security needs into account. In other words, security sector reform stands and falls with the support of the population. It is important to consider the population's views on security and justice, because, ultimately, the people are the beneficiaries of security sector reform.

Local ownership of security sector reform can only be achieved through consultation and local participation in the process. The Forum 'Delivering Security to the Palestinian People' aims to give a voice to all Palestinian stakeholders. By assessing and documenting local security needs, the Forum allows citizens to give their opinion on the development of a Palestinian national security policy and of a commensurate security sector reform strategy. The Forum seeks to contribute to a locally owned, sustainable and legitimate reform process.

During each session, speakers discussed both local security needs and more global issues related to security sector reform. Many representatives, especially the ones coming from marginalised segments of Palestinian society, attended a public discussion on security sector governance for the first time.

The high number of participants in the Forum illustrates the population's desire for an inclusive dialogue on security. The inclusive character of the Forum as well as the presence of local media provided an opportunity for the population to communicate with Palestinian authorities.

Throughout the sessions, participants claimed that external factors had the biggest impact on their security. At the top of the list of perceived insecurities, Palestinians post the ongoing Israeli occupation and related policies (system of closures and checkpoints, the construction of settlements and of the separation barrier, and the separation between the West Bank and the Gaza Strip). Another external source of insecurity for Palestinians is some form of external security sector reform assistance: the population often views it as a means to increase the PNA's repressive capacities at the expense of citizens' rights and freedoms.

Forum speakers also discussed internal factors that affect the delivery of security and justice to the Palestinian people. Participants welcomed the efforts of the caretaker government in the West Bank to establish law and order in the main Palestinian cities. Nevertheless, they were critical of the authorities' practice of political detention. Participants identified a number of measures that could support Palestinian security sector reform.

On the strategic level:

- To initiate a broad and inclusive dialogue on the content and vision of Palestinian security. Such a dialogue should encompass all Palestinian stakeholders – executive authorities, security forces, legislative and judicial institutions, political parties, civil society, media, women's rights organisations, and the private sector;
- To design a national security policy that can steer the security sector reform process and ensure its responsiveness to public expectations. The process of formulating this policy should be inclusive and entail a sustainable reconciliation between Fatah and Hamas.

On the institutional level:

- To strengthen oversight and accountability mechanisms in the Palestinian National Authority, in particular in the Palestinian Legislative Council and the judiciary;
- To improve executive management and planning mechanisms and build a proper institutional framework for the judicial authorities and the security forces;
- To develop a normative framework for the security sector, especially security forces, which reflects international standards of civil-democratic security sector governance;
- To undertake serious efforts to depoliticise the security forces, so that they deliver security and justice to all Palestinians, regardless of their political affiliation;
- To ensure that civil society has an effective say in the design and implementation of reform policies

through regular consultations with the executive branch;

- To strengthen the role of media in security sector governance and ensure that they are free to deliver a quality information service to citizens;
- To ensure that security sector reform policies take into account the role Palestinian women can play in security sector governance.

On the operational level:

- To ensure that Palestinian security forces operate in accordance with Palestinian legislation and international standards, in particular regarding arrests and detention;
- To increase civic education, human-rights and public relations training for security personnel and ensure that these subjects are included in training curricula;
- To improve cooperation among security sector institutions, and between the security forces, the public prosecution and the courts.

In this context, international donors would strongly benefit from paying closer attention to Palestinian security needs. To be sustainable, Palestinian security sector reform needs the population's support. If donor contributions are perceived as a tool for strengthening the authorities' repressive capacities, they will lower the public trust in the security forces. Donors should thus ensure that their assistance to security sector reform benefits all Palestinians, whether in the West Bank or in the Gaza Strip, regardless of their political affiliation. This implies that donors should encourage Israel to release detained parliamentarians and the Palestinian National Authority to resume its normal institutional process. It also implies that the international community should reconsider its position towards actors that have so far been excluded from the discussion, in particular the Hamas movement.

Hence donor countries should ensure that:

- Assistance to security sector reform in the Palestinian territories is in line with international norms and standards;
- International assistance, and in particular assistance to security sector reform, is depoliticised in order to obtain broader acceptance;
- Technical assistance is accompanied by commensurate investments in oversight and accountability mechanisms.

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