



DCAF-Shams Forum

'DELIVERING SECURITY TO THE PALESTINIAN PEOPLE'

Ramallah, Palestine

12 March 2008

SUMMARY REPORT

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 first Forum 'Delivering Security to the People - Challenges to Palestinian Security Sector Governance' in Ramallah. The Forum is a new project by DCAF and Shams 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. Further sessions of the Forum will take place in different places in the West Bank and the Gaza Strip in the coming months.

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 Rajoub, 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 Rajoub 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 Rajoub 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 Rajoub 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 Rajoub 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 Rajoub emphasised that internal stability was the overriding security imperative of the future Palestinian state. This would lead to economic growth and regional stability.

General Rajoub 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 Rajoub'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 Rajoub 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 Rajoub 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.

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 are 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.

Conclusions

The Palestinian executive authorities have recently begun to restructure their different security forces. They are also making efforts to establish law and order in the cities of the West Bank and in the Gaza Strip. Yet, many Palestinians feel that they still have not benefited from these efforts. Many participants in the Forum believed that the authorities have not succeeded in improving their security or, worse, that their personal security has deteriorated.

The DCAF-Shams Forum showed that Palestinians desire a broad debate on security in their society. Many discussants expressed dissatisfaction with the way their security has been managed until now and demanded a more transparent approach to security sector governance. And many discussants demanded real dialogue between the political factions as the precondition for a sustainable reforms and the effective provision of security to the people.

In this context, participants in the Forum made a number of recommendations on how the security sector reform process could improve:

- To build a consensus among all Palestinian stakeholders on a national security policy that gives strategic direction to security sector reform and ensures its sustainability. Such as national security policy should be based on a locally-owned vision of security and include all stakeholders.
- To overcome the legitimacy deficit of the security forces by ensuring the provision of security for all Palestinians, regardless of their political affiliation. Palestinian citizens should see a tangible improvement of their security situation.
- To increase transparency and accountability in security sector governance and to create a culture of openness on part of the security forces and to raise awareness among security personnel and the citizens as to their rights and duties.
- To increase the involvement of civil society in security sector reform to ensure that the expectations of the public are acknowledged and heeded by the

Palestinian authorities. This entails strengthening the role of Palestinian media as the transmission belt between the people and the authorities.

However, in order to succeed, these efforts need a favourable political and socio-economic environment. The international community can play a crucial role in this regard. Key to this is that regional and international actors find constructive approaches towards mending the growing political and institutional division between the West Bank and the Gaza Strip. This means also reconsidering their position towards the Hamas movement. The current focus of donors on the West Bank not only risks losing past investments in development but might also lead to increased instability in all the Palestinian Territories. This might eventually undermine the sustainability of current donor support to Palestinian authorities in the West Bank. Moreover, the institutional framework of the PNA in Gaza might suffer irreversible damage that will make future development immensely difficult. Donor countries should also make sure that:

- Security sector reform assistance in the Palestinian territories is made consistent with the international norms and standards that apply to such assistance.
- International assistance, and particularly assistance to SSR, becomes more depoliticised in order to obtain broader acceptance.
- All development investments are accompanied by investments in structural reforms and institutional development. For this reason, more funds need to be allocated for comprehensive security sector reform assistance.