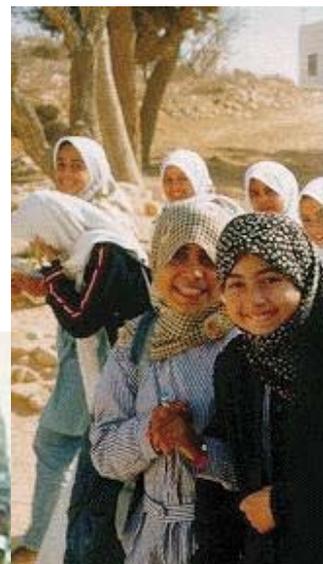




Palestinian Public Perceptions of Security Sector Governance

Summary Report (Geneva, 14 October 2005)

Riccardo Bocco
Luigi de Martino
Arnold Luethold



About the Authors

Riccardo Bocco is Professor for political sociology at the Graduate Institute of Development Studies. He is specialized in the Arab Middle East, with a particular research interest in Palestine and Jordan.

Riccardo.Bocco@iued.unige.ch

Luigi de Martino is Research and Program Officer at the Palestinian Research Unit of the Graduate Institute of Development Studies

Luigi.DeMartino@iued.unige.ch

Arnold Luethold is a Senior Fellow at the Geneva Centre for the Democratic Control of Armed Forces and Head of the Middle East North Africa (MENA) Program on Security Sector Governance and Reform in the Middle East.

a.luethold@dcaf.ch





Introduction

The Graduate Institute for Development Studies (IUED) in Geneva and the Geneva Centre for the Democratic Control of Armed Forces (DCAF) conducted in July 2005 a survey in order to measure public perceptions of Palestinian security sector governance. The survey involved 1,500 individuals living in the West Bank, Gaza Strip and East Jerusalem.

In this study, 'security sector' is the public sector that comprises all security forces and the relevant civilian bodies needed to oversee them, including the judiciary. 'Security sector governance', in a very general sense, refers to how this sector is run. It looks at people, institutions, processes and practices that affect the functioning of the security sector and its capability to deliver security in the broadest possible sense to the population. A successful security sector would effectively provide security for the greatest number of people at affordable costs, in full transparency and in an accountable manner. How well this is done in practice, however, is a matter of perception.

Thus, understanding how the public views the security sector and its activities is important for good governance. That is why public perception studies of security sector governance are an important tool not only for assessing the quality of governance, but also for evaluating the direction of future reforms. By giving the public a voice in the discussion of their own future security, public perception studies are a step towards greater inclusiveness in the management and oversight of security issues. They are also a mean for establishing public accountability of the security sector and involving civil society in its governance. This in itself is an important element of any security sector reform agenda, given that the security sector, more than any other public sector, has a tendency to resist public input and oversight.

While many governments in the Middle East would be reluctant to authorize similar studies, the Palestinian National Authority deserves credit for having made this research possible.

The present summary report presents some key findings of the survey. A fully detailed report will be published in winter 2005/2006.

¹ Since 2000, the IUED regularly conducts public perceptions polls on the living conditions of the Palestinian population and on aid delivered to the occupied Palestinian territories. The reports and the data of the 9 polls conducted so far are available at <http://www.ued.ch/palestine>

The Palestinian Security Sector		
Security forces		personnel
Official PNA security agents	Civil Police (Law enforcement)	18500
	Preventive Security (Internal security)	5500
	Civil Defence (Emergency and rescue)	950
	National Security Forces (Palestinian Proto-army)	11000
	Naval Police	900
	Military Intelligence	Ca. 400
	Presidential Security	2500
	Military Liaison	+/- 100
Non-official PNA security agencies	Special Security	<100
	Special Forces	1250
	Joint Force Gaza	5000
Non-statutory forces	Martyr Izz al-Din al-Qassem Brigades (Armed wing of Hamas)	1000-1500
	Al-Quds Brigades (Armed wing of Islamic Jihad)	Several hundreds
	Al-Aqsa Brigades (Fatah-affiliated local militias and armed groups),	500-700
	Others (Fateh Volunteer Force, Fateh Hawks, Martyr Abu Ali Mustafa Battalions, National Resistance Brigade, Salah al-Din Brigade, various local law-and-order groups)	unknown

² The security sector usually includes the armed forces, the police and gendarmerie, intelligence services, and judicial and penal institutions. It also comprises the elected and duly appointed civil authorities responsible for control and oversight, e.g. the executive and parliament. For a detailed description of the Palestinian Security Sector see Roland Friedrich, Security Sector Reform in the Palestinian Occupied Territories, Passia: Jerusalem 2004.





Judiciary

Official judiciary	Magistrate Courts, District Courts and High Court. The judiciary also includes State Security Courts and Military Courts
Non-official judiciary	Sharia Courts, clan-based law institutions

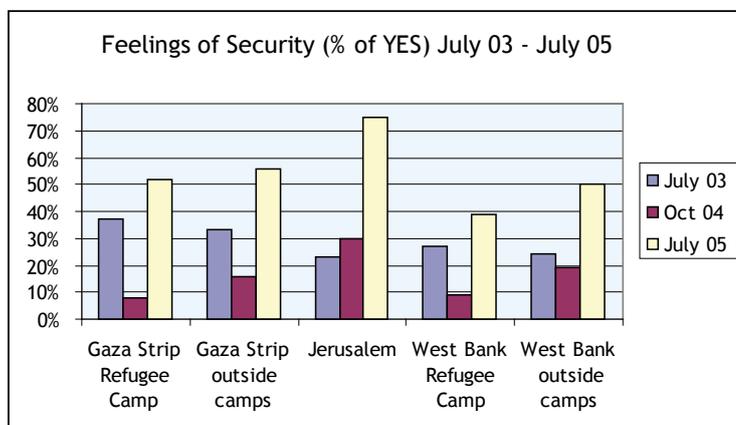
Civilian control and oversight

Executive control	President Prime Minister Ministry of Interior National Security Council
Parliamentary oversight	Palestinian Legislative Council <ul style="list-style-type: none">• Interior Committee• Committee for Oversight of Human Rights and Public Freedoms• Budget and Financial Affairs Committee• Legal Committee

Key findings

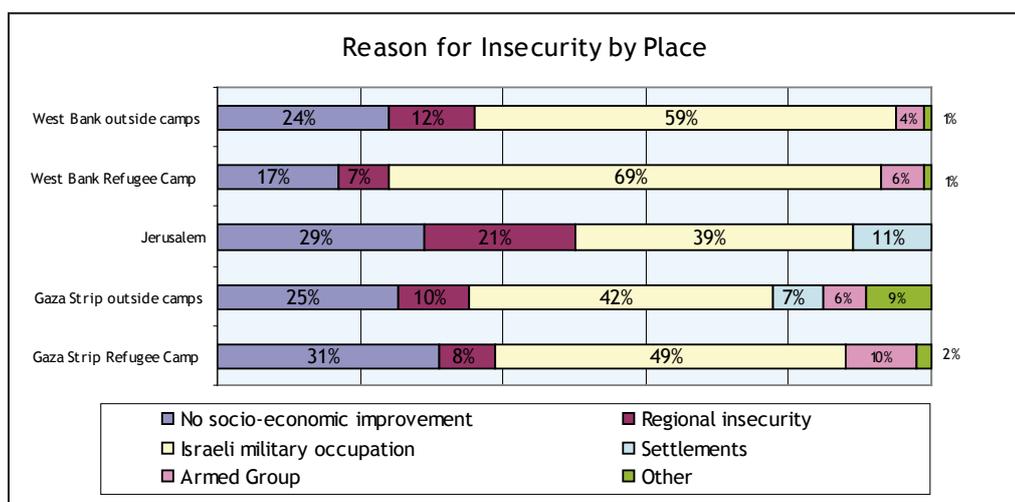
Feeling of Security among the Palestinian Population

The feeling of security among the Palestinian population increased significantly from October 2004 until July 2005. In July 2005, 52 percent of respondents in the Gaza Strip said they felt secure, compared to only 8 percent in last November.



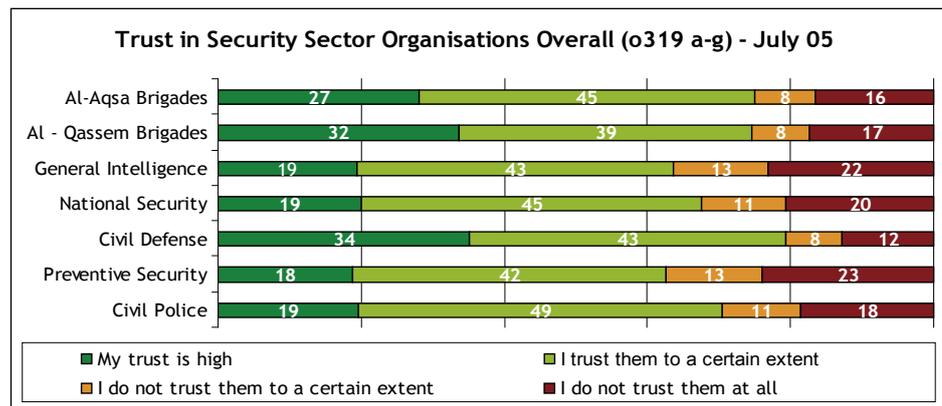
A majority of Palestinians perceive Israeli occupation as the main threat to their security. Shortly before the Israeli withdrawal from Gaza, 60 percent of Palestinians in the West Bank and 44 percent in Gaza, compared to 39 percent in East Jerusalem, said Israeli occupation was the single most important reason for

them to feel insecure. In all regions, the lack of socio-economic improvement was listed as the second most important reason for the feeling of insecurity. Respondents from the West Bank and Gaza refugee camps perceive their security more directly threatened by armed groups than by settlements. 11 percent of Jerusalem respondents mentioned settlements as a reason for insecurity.



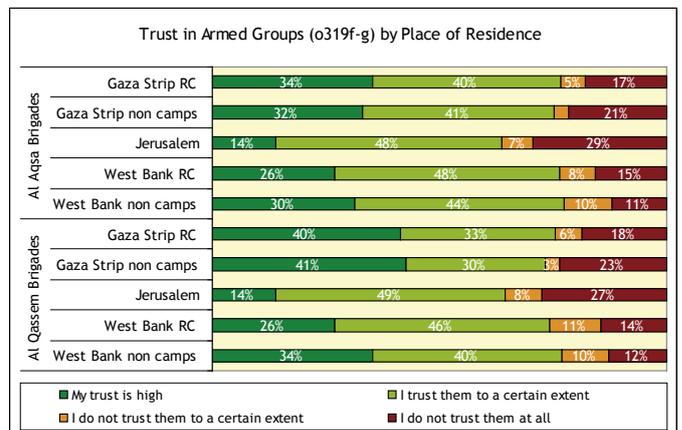
Palestinians place high trust in non-statutory forces

The survey results show that after the Civil Defense, non-statutory armed groups such as the Al-Aqsa and Al-Qassem Brigades are the most trusted organizations amongst Palestinian security organizations in the occupied Palestinian territories.



Organizations controlled by the Palestinian National Authority (PNA), such as the Preventive Security, General Intelligence, National Security and Civil Police scored significantly lower trust levels. Preventive Security is the least trusted of all organizations, with 23 percent of respondents having no trust in it at all.

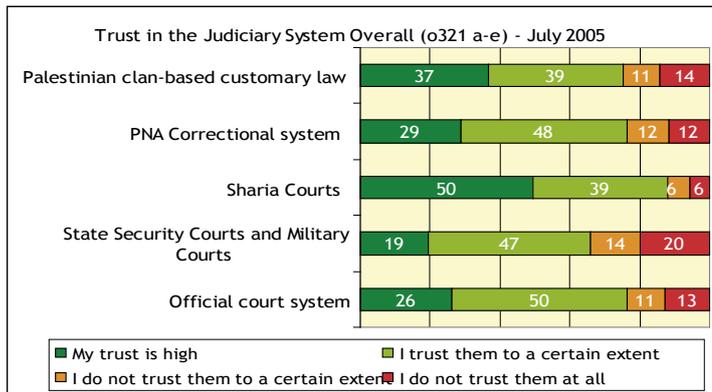
Trust in security organizations seems to be related to both the socio-economic and educational level of the respondents: the higher the revenue or the education, the lower the trust. The only exception to this is the Civil Defense, where no correlation could be found between the educational level of respondents and the trust placed in this organization. It could be that the apolitical nature of its mission (emergency and rescue services, including fire departments) has prevented the Civil Defense from getting involved in political disputes and resulted in higher trust and acceptance. Trust levels also vary with the area of residence. City dwellers have generally lower levels of trust than residents of villages. Compared to city dwellers, residents of refugee camps have higher trust in the Civil Defense and lower trust in the General Security.



In Gaza, non-statutory armed groups obtain very similar trust levels from residents inside and outside the refugee camps, whereas in the West Bank, they are more trusted by people living outside the refugee camps. Trust in the Al-Qassem brigades is particularly strong in the Gaza Strip.

High trust in Sharia courts and customary law institutions

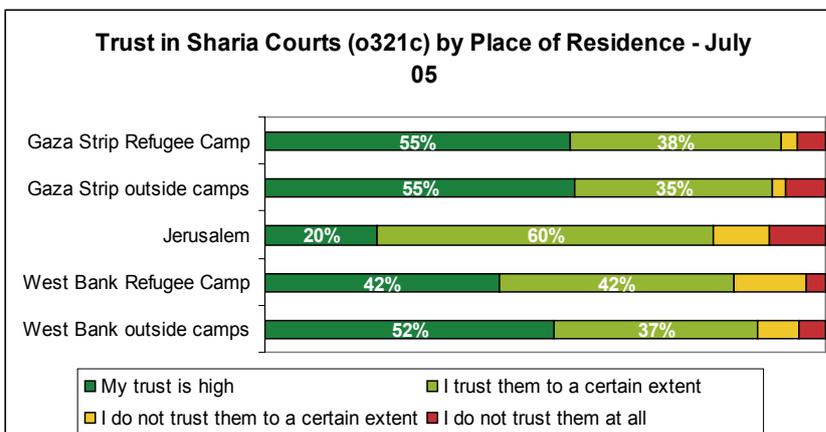
Organizations responsible for guaranteeing the rule of law, such as the courts, the correctional system, and bodies tasked with the oversight of human rights are important for a functioning security sector. When asked about their trust in several institutions of the judiciary, respondents said they trusted most the Sharia courts.



50 percent said to have very high trust in Sharia courts and another 39 percent said to have some trust. Palestinian clan-based customary law institutions were ranked second. The comparatively lower rating of the official PNA institutions is hardly surprising. The official judiciary has often been described as the

weakest link in the governance structure of the Palestinian National Authority. The Palestinian legal system is influenced by legislation of various origins (British, Ottoman, Jordanian, Egyptian, Israeli) and, institutionally, is characterized by a proliferation of judicial organizations with overlapping mandates. It also struggles with serious shortages of funds and trained personnel. Unlike the official judiciary, Sharia courts and customary law institutions offer easy access and are present in all regions. They also may appeal to people not only for the values they represent, but also because they deal mostly with civil cases.

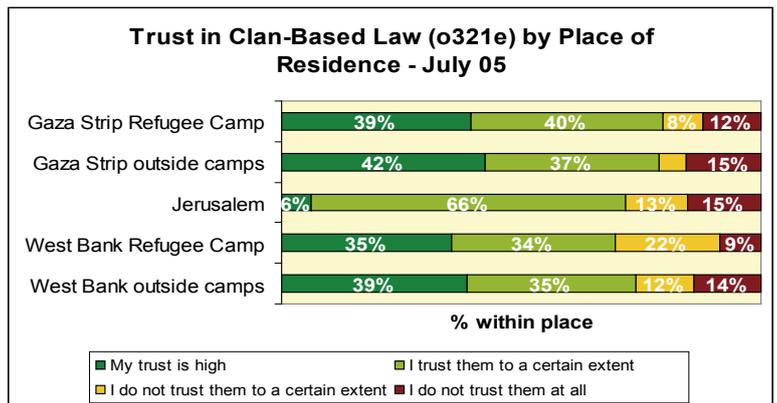
Three factors appear to influence respondents' trust in the judiciary: revenue, the area of residence and the level of education. Respondents above the poverty line show lower levels of trust than those below the poverty line and those considered as "hardship cases". City dwellers seem to have generally lower levels of trust than residents of villages or refugee camps. Trust also seems to be inversely dependent from the level of education, except for the Sharia courts for which trust levels are not significantly affected by the level of education.





The place of residence is a key factor for explaining trust in Sharia courts: Between 42 and 55 percent of respondents in Gaza and the West Bank reported to have 'high trust' in the Sharia courts, compared to only 20 percent in East Jerusalem, where the comparatively lower trust can be explained by better access to regular (Israeli) courts.

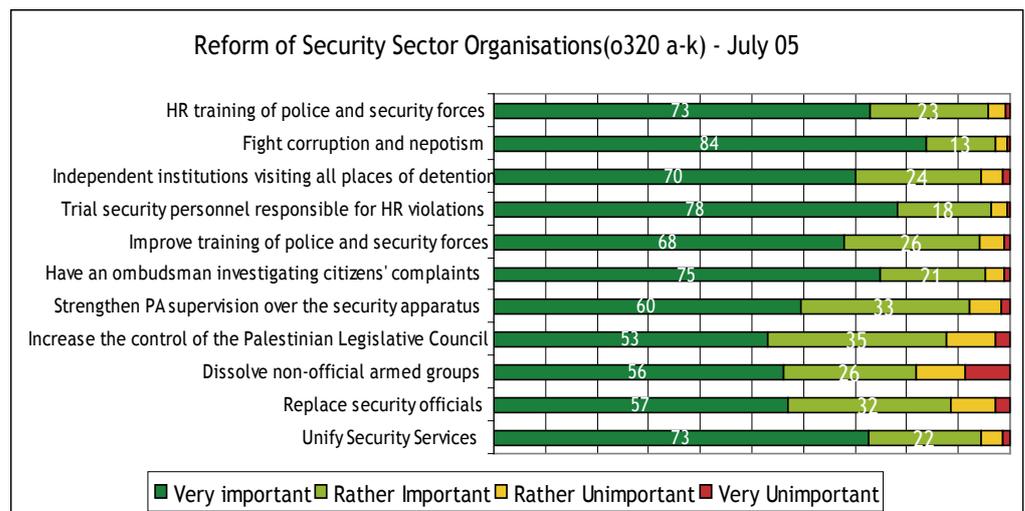
The availability or non-availability of satisfactory alternatives may also explain the considerable variations in the trust levels for the clan-based customary law institutions. Only 6 percent of respondents in Jerusalem said to have 'high trust' in clan-based



judicial institutions, compared to 39 to 42 percent in Gaza and the West Bank, respectively, where Sharia courts and customary law institutions are easily accessible and deal predominantly with civil law cases.

Strong and widespread support for security sector reform

A strong message in support of change appears in the answers to questions related to security sector reform. When asked to rate the importance of eleven concrete security sector reform measures, a sweeping majority of respondents (82 to 97 percent) considered all proposed measures as either 'very important' or 'rather important'.

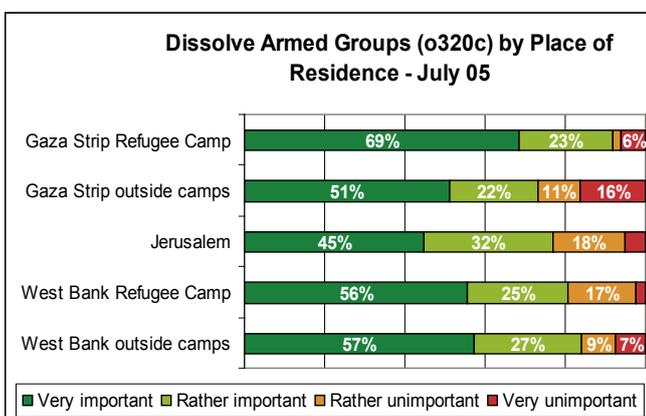


Fighting corruption and nepotism seen as the top priority

Fighting corruption and nepotism has the highest approval rate, with 84 percent considering it as ‘very important’ and another 13 percent as ‘rather important’. Legal persecution of security personnel responsible for human rights violations and establishing an ombudsman to investigate citizen’s complaints are judged to be equally important. Such strong and widespread support for in-depth reform suggests that the security sector has largely failed to meet the Palestinian people’s expectations and finds itself in a major crisis of confidence and legitimacy.

Strong support for dissolution of armed groups

Considering the high level of trust given to non-statutory armed groups, such as the Al-Aqsa or the Al-Qasem brigades, it should be noted that a majority of respondents are in favor of dissolving them. 56 percent of all respondents consider the dissolving of armed groups a very important measure. It may be surprising that support for dissolving armed groups is highest in the refugee camps in Gaza, with

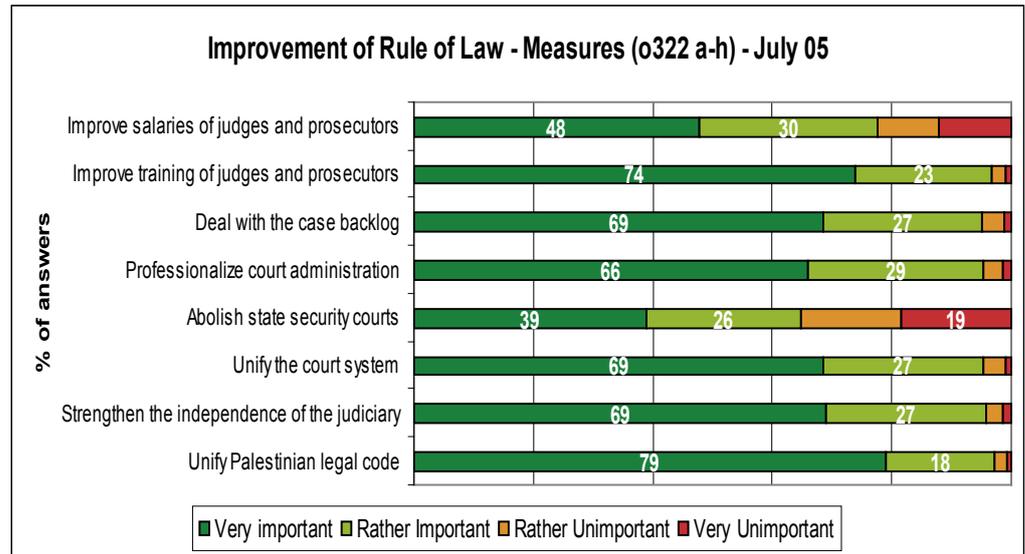


69 percent approving it as a ‘very important’ measure. The combination of high trust in armed groups and the strong support for their dissolution in an area that has a reputation for having served as a recruitment pool for armed groups raises a number of questions that would deserve further analysis. It could be that the camp population has suffered disproportionately because of the presence of armed groups and sees in their disbanding an occasion for increasing security. Among residents of refugee camps in the Gaza Strip, 10 percent listed the existence of armed groups as one of the main reasons for their insecurity. It could also possibly indicate a willingness of members of armed groups to join the statutory forces, if they were offered the opportunity to do so. In recent months, many have sharply criticized the Palestinian National Authority for its partisan management of the security forces and have demanded that recruitment and selection be done on a non-factional basis.

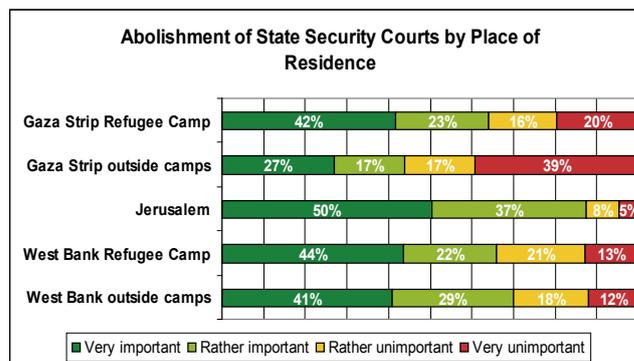
Strong demand for accountability and increased oversight

The support for particular security sector reform measures varies according to the place of residence. Gaza residents and respondents living in refugee camps, for example, attach a higher importance to the legal prosecution of security officials responsible for human rights violations. A majority of respondents in all areas wanted the Palestinian Legislative Council to increase oversight of the security apparatus. Support for this measure was particularly high in the refugee camps of the West Bank, where 66 percent rated it as ‘very important’.

Support for changes in the judiciary



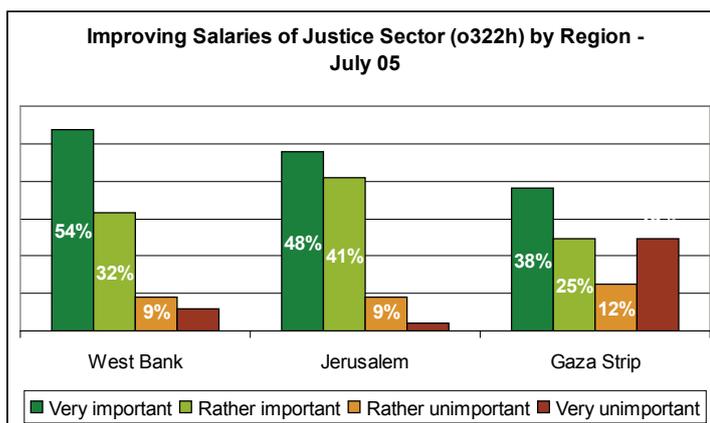
Respondents also perceive a strong need to improve the rule of law. Measures aiming at strengthening the legal framework and improving the functioning of the judiciary were usually seen as ‘very important’, with peaks of 79 percent in support of the unification of the Palestinian legal code and 74 percent for improving the training of judges and prosecutors.



The abolishment of the state security and military courts is the most controversial of the proposed remedies. Interestingly, “only” 39 percent of the interviewees strongly support this measure, despite the fact that a mere 19 percent of the respondents said to have high trust in these courts. Respondents living in the Gaza Strip outside the refugee camps are

the least inclined to support the abolishment of state security courts, while residents of East Jerusalem expressed the strongest support. Most in favor of the abolishment of the state security courts were interviewees above the poverty line.

A majority of Palestinians believes that salaries for judges and prosecutors should be increased, (as a means of fighting corruption in the judiciary). 54 percent in the West Bank, and even 64 percent of the refugees living in camps in the West Bank, attach high importance to this measure. In Gaza however, one in four respondents considered the measure as 'very unimportant'.



Conclusions

While Israeli occupation impacts on Palestinian perceptions of security and imposes severe constraints on the Palestinian authorities, it does not explain the limited trust the Palestinian population has in the security sector. It appears that rather the governance of these institutions and their legitimacy are questioned.

Domestically, the Palestinian National Authority and the official security organizations are confronted with a major legitimacy deficit. Unless confidence in the official institutions is restored, popular support for substitute organizations, such as private militias and parallel court systems, is likely to grow. This could further undermine the already weak confidence in the public system. It could also widen the gap between residents in Jerusalem and residents in the West Bank and Gaza and eventually be detrimental to Palestinian unity and the nation-building process. From a Palestinian perspective, improving security sector governance should therefore be a matter of high national interest.

The strong and widespread popular demand for an in-depth reform of the whole security sector indicates dissatisfaction with the present situation. But it also expresses broad-based willingness to strengthen official institutions and improve their performance, which provides a foundation of political capital upon which the political leadership can build.

The challenge for the Palestinian National Authority will be to build a nationally-owned and led vision of how the security sector should be reformed and to map and implement a government-wide strategy for security sector reform that can deliver tangible results to Palestinian citizens, such as a substantial reduction in corruption and nepotism and enhanced respect for human rights.



While the Palestinian National Authority can count on overwhelming support in the population for disarming and disbanding the militias, it will unlikely be able to achieve this objective unless it succeeds in strengthening its own legitimacy. Representative institutions and a well-governed security sector would help the Palestinian National Authority gather the support needed to take on riskier tasks.



The challenges of Palestinian security sector governance illustrate the overlapping problems of development and security and highlight the need for integrated development and security policies. In the Palestinian context, international development assistance and humanitarian aid should increasingly be judged on its capability to respond to the challenges posed by poor security sector governance. A failure to address this fundamental problem risks to reduce the impact of aid and fuel frustrations that, in the long run, may be difficult to control.



