# Palestinian Security Sector Governance: The View of Security Forces in Nablus

Nablus, a city of 130.000 inhabitants, has historically been the commercial hub of the northern West Bank. Since 2000, however, the city has experienced economic decline and instability, primarily due to Israeli closure policies. In late 2007, the caretaker government in the West Bank undertook steps to re-establish law and order in the city.

In the spring of 2008, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and the Centre for Human Rights and Democratic Participation (SHAMS) launched the Forum 'Delivering Security to the Palestinian People'. This forum aims at supporting a sustainable and inclusive Palestinian dialogue on security. It brings together representatives of all stakeholder groups in Palestinian security sector reform (SSR). In the framework of the forum, a series of working group sessions was held with civil society organisations in Nablus between October 2008 and April 2009 (see DCAF Spotlight No. 1: Palestinian Security Sector Governance: The View of Civil Society in Nablus, May 2009). In April 2009, DCAF and SHAMS held a second series of working groups, this time with the Palestinian security forces in Nablus. The present issue of the DCAF Spotlight shows how security forces in Nablus view security sector governance in their city.

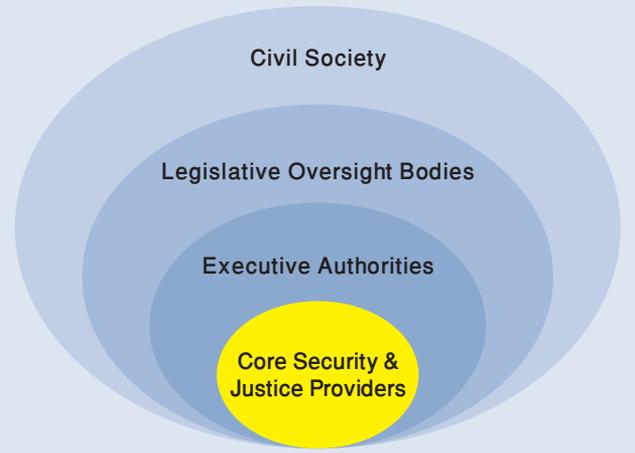## How do security forces in Nablus see their relations with the citizens?

Palestinian security officers in Nablus have a mixed view of their relations with the citizens. While underlining their improved relations with the people during the implementation of the security plan in the city, they acknowledge the persisting lack of trust between the people and the security forces:

**Improved relations during the implementation of the security plan in Nablus:**

♦ 'The security plan has been very successful. Nablus is an important city. Now, 60% of the shop owners and businessmen are happy with the security that we provide for them.'

## What is the Security Sector?

Legal & Policy Framework

Civil Society

Legislative Oversight Bodies

Executive Authorities

Core Security & Justice Providers

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

### Core security and justice providers:

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

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

### Management and oversight institutions:

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

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

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

- 'Citizens start to take the law seriously. Yesterday, a police car stopped near my house, and the neighbours started calling me to ask why the police were there and what they wanted. When the neighbours understood that the police were investigating a car theft, they said it was good that they had the police.'

### Low public trust in security forces:

- 'There is a gap between the people and us. The people should trust us. But how can I become credible in the eyes of citizens?'

- 'The security forces are there to help the citizens. But whenever the citizens face a problem, they blame it on the security forces.'

- 'The security officers are not the enemies of the people. We come from the same nation.'

### Citizens critical of security cooperation with Israel:

- 'Whenever the Israeli troops enter the city at night, the citizens ask: Why do we have security forces if the Israelis can freely enter the city? What is the real job of the security forces?'

- 'Our citizens accuse the police and the intelligence agencies of cooperating with Israel.'

### Citizens do not use complaint mechanisms:

- 'In the police, there are mechanisms for receiving citizen complaints. We have our website and hotline and a complaints department. But how can I encourage the citizens to call us and report a crime?'

- 'I expect citizens to complain to the competent security force whenever they feel unjustly treated.'

- 'We developed a plan on how to build relations with the public. But the message does not really get through.'

### Security forces seek to limit citizens' rights:

- 'A citizen who is a former combatant should understand that he is no longer a soldier. If the police stop him, he must understand that they are just doing their job. Former combatants need more effective rehabilitation.'

- 'The citizens interfere with the work of the security forces. They ask police officers why they are stopping them in the street. In no country in the world can the citizens ask such a question. The citizens cannot tell the security forces what to do. We security officers know the needs of the society.'

- 'The citizens debate whether it is 'haram' or 'halal', meaning legal or illegal, to go to the police and report, let's say, a drug dealer.'

## How do security forces in Nablus evaluate security sector reform?

While emphasising operational success, security officers have mixed views about the broader institutional results of security sector reform. For many of them, progress in restructuring security forces is offset by the lack of legal frameworks and weak oversight mechanisms. Security officers generally feel a lack of ownership of reforms and are not informed about the strategic direction of reforms.

## Effects of Occupation

Palestinian security officers in Nablus feel that the Israeli occupation remains a key obstacle to their work.

### Obstacles caused by the Israeli occupation:

- 'We have 60 police stations in rural areas in the governorate. But we cannot move from one village to another due to the Israeli occupation.'

- 'Why am I, as a military officer, forbidden to move from one area to another? Why can the Israeli army, at the same time, enter the city after midnight?'

## External Control of Reform

Many security officers feel that they do not have full ownership of reforms.

### Lack of ownership:

- 'We have a democratic system. The Palestinian Legislative Council (PLC) is the elected body of the Palestinian people. The world saw democratic elections, but donors then decided not to accept the results.'

- 'I attended training courses organised by the United States' Security Coordinator. I was told that Palestinian security services could not be provided with adequate capacities because of Israeli objections. When I hear this, I am very pessimistic about the future.'

## Developing Security Forces

Nablus security officers feel that they succeeded in achieving law and order in their city under difficult circumstances. In their view, however, the structural reorganisation of security forces must be accompanied by legal development and further technical capacity-building.

### Progress in rehabilitating security forces:

- 'We have better security in the governorate now. The police are the mirror of the town. They dress properly and are in good shape. We can be proud of ourselves.'

- 'The police made great progress. In 2008, the Bureau of Financial and Administrative Control ranked us the best institution of the Palestinian National Authority (PNA). We got a grade of 91%.'

- 'We only started to build institutions in 2004. In the past, members of the security forces just followed their leaders. We had no organisation and no structure. We only cared about our salaries.'

- 'We need time for building institutions. I am originally a revolutionary and not a security officer. We are not saints and cannot work wonders.'

### Improved accountability of security officers:

- 'These days, there is no immunity for security officers who violate the law.'

- 'Yes, officers committed violations during the implementation phase of the security plan. But we held them accountable. We are working on getting better. The Military Intelligence followed up more than 60% of all disciplinary violations.'

### Better coordination between security forces:

- 'Coordination between the security forces improved. There were regular meetings on the governorate level with the directors of all forces.'

### Lack of legal framework:

- 'There is a gap in the security sector legislation. We need new laws to regulate our work.'

- 'We should identify the authorities and jurisdictions of all security organisations. There are too many security agencies, this confuses the citizens.'

### Lack of technical capabilities:

- 'We have very limited capabilities. Our investigation techniques are outdated. There are neither criminal laboratories nor adequate investigation tools.'

### Need to strengthen the role of the police:

- 'All security forces, except for the police, should leave the streets. Only the police should remain in the streets for traffic control purposes. I am a policeman. I speak with a clear conscience because the police is an institution that provides services to the people.'

## Efficiency of Oversight Mechanisms

Many security officers feel that civil-democratic oversight mechanisms need further development. They are critical of the performance of the judiciary and wish that civil society takes on a bigger role in strengthening the rule of law.

### Lack of cooperation with the judicial system:

- 'There is a big number of cases pending before the courts because the rule of law has been absent for so long. There is still a lack of cooperation with the courts.'

- 'The courts have to cooperate better with us. For example, citizens who violate the traffic law and are caught by the police go to court for appealing the fine. The judge may decide on a fine of 100 NIS for the traffic violation. But while in court, people hear that lower fines apply to greater violations. This makes people critical and angry.'

### Weak public oversight:

- 'I held 69 TV sessions and gave 76 lectures in schools about the police. But we need more dialogue with the citizens. We have to work with the media to spread awareness about our work.'

- ◆ 'Civil society organisations should take an active role and participate in the implementation of the security plan by raising awareness about the rule of law. They should be familiar with the problems of the people and report them to the security forces.'

### Lack of technical capabilities:

- ◆ 'The lack of efficient public relation offices within the security forces is a problem.'

- ◆ 'Public relation structures in the security forces absorb the requests of the journalists without releasing information.'

- ◆ 'Security forces do not systematically organise press conferences. If they organise a press conference, admission is limited to a few journalists and based on personal acquaintances.'

## Assessment of Policy Process

Many security officers recognise the need for an inclusive process to develop a national security policy, but they believe the current security sector reform process lacks strategic direction.

### Need for strategic consensus on security:

- ◆ 'We hear about security all the time, security, security, security. But we don't know where this is all going. We are about to develop a security obsession.'

- ◆ 'Our society is breaking down. So where are we going and what is our fate?'

- ◆ 'All of us, whether in the West Bank or the Gaza Strip, live in one society. We are like a house in which there is one disobedient son who can be forgiven by his parents. This is exactly the situation in Gaza.'

## Recommendations

Many Nablus security officers believe that the authorities have to seriously improve the delivery of security in the city. They are conscious of the need to further develop and rehabilitate their own security organisations. Security officers acknowledge the lack of public trust in their performance and agree on the need to reach out to the citizens. Working group participants made the following recommendations:

### On the strategic level:

- ◆ To devise a national security policy in an inclusive manner to give strategic direction to the Palestinian security sector reform process.

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

- ◆ To review and amend the current legal framework of the security forces so as to clearly define their tasks, missions and jurisdictions.

### On the institutional level:

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

- ◆ To improve the coordination and cooperation of the security forces with judicial institutions, in particular with courts and public prosecution.

- ◆ To develop the organisational structures of the security forces, in particular by defining personnel responsibilities and tasks.

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

### On the operational level:

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

- ◆ To enhance communication with the public and establish outreach mechanisms towards civil society and the media, with the aim to increase public awareness of the rule of law.

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