***Security Sector Reform (SSR) in Palestine:*** 

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| **The concept of Security Sector Reform (SSR)** | | |
|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | **What does SSR mean?** |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | The transformation of security institutions so that they play an effective, legitimate and democratically accountable role in providing external and internal security for their citizens.   * Security Sector : All organisations which have the authority to use or order the use and threat of force to protect the state and its citizens as well as the civil structures that are responsible for their management and oversight * Three pillars:  |  |  | | --- | --- | | • | Groups with the mandate to wield instruments of violence, such as military, paramilitary, and police. | | • | Institutions with the role of managing and monitoring the security sector, such as civil ministries, the parliament, and NGOs. | | • | Bodies responsible for guaranteeing rule of law, such as the judiciary, the penal system, and human rights oversight bodies (however, due to lack of space this pillar will not be dealt with in the following). | |
| **The reform of the Palestinian Security Sector** | | |
| **Thesis**: SSR in Palestine is a subject layered with multiple notions. Depending on the political actor – internal as well as external – there are different, one can say even contradictory understandings of what security sector reform in Palestine actually means. Two notions can be distinguished: | | |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | Israel and the US understand SSR as a tool of changing the existing power structure in Palestine , with the underlying objective of dismantling the Arafat order. However, this objective of marginalizing a democratically elected leadership stands in remarkable contrast to the normative underpinning of SSR, i. e. the promotion of democratic structures. Hence, in this perspective one should not speak about SSR in the actual sense, but rather about efforts of restructuring the security forces |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | SSR in the proper sense of the agenda has been foremost a demand of the Palestinian citizenry. The latest PCPSR poll shows that an overwhelming majority of 92% of the Palestinians supports inside and outside calls for fundamental political reforms in the Palestinian Authority (PA), and that 80% support the unification of the Palestinian security services under the control of the cabinet. The internal demand for reform reflects the concerns of the Palestinian public with its security forces, especially regarding corruption, the inability of the security forces to guarantee law and order, their failure to protect Palestinians against Israeli incursions, and their violation of human rights. |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | What makes up SSR in the proper meaning of the word entails four dimension, which will be focused on in the following: political dimension, institutional dimension, economic dimension, and societal dimension. |
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| **Dimensions of analysis:** | | |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | ***The political dimension, i. e. the overall internal and external context that determines the character of SSR*** |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | The external political setting is characterized by massive involvement of outside actors. Different actors with different agendas are pressing for reform, such as the US and Israel , the EU, and recently Egypt and Jordan , with the EU probably being closest to the Palestinian demands. |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | The internal political setting is characterized by two factors. |
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|  |  | * Political legitimacy of the PA: The SSR agenda stipulates the necessity of at least the semblance of state legitimacy and the presence of democratically elected officials who can cooperate, discuss, reach agreement on direction of SSR and are able to exercise control and oversight.  Palestine :  |  |  | | --- | --- | | • | The PA derives its existence and legitimacy from the Oslo accords. The PA is not a state, but more of a set of institutional arrangements designed to meet external needs. Futhermore, the existing institutions have been severely affected by the Israeli military actions during the second Intifada. | | • | Internal politics, especially during the Oslo years, can be characterised as a neopatrimonial system under the rule of Yasir Arafat, i. e. a system where legitimacy, state authority and influence of the ruler are maintained by political manipulation via material incentives and patron-client relations. | | • | In short, the legitimacy of the PA is still to be consolidated internally, regionally and internationally. Those governing are still fighting for statehood and recognition. The target for reform is therefore a quasi-state with disputed identity. | |  |  | |
|  |  | * Strategic priorities of key actors. These are the primary factors influencing decisions about security made by those governing and controlling key security sector posts. Here the reform context is constrained by what the elite or other power clusters identify as being threatening. Palestine :  |  |  | | --- | --- | | • | Yasir Arafat is in total control of the security forces, which is one of the last power assets he still has. He rules them by putting different agencies and their respective heads against each other and letting them compete, with him as the pivotal point of the system and the final arbiter. | | • | |  |  |  | | --- | --- | --- | | The political relevant elite, i.e those who wield political power by taking strategic decisions or participating in decision-making, comprises PLO/PA officials, security officials, and Fateh leaders, and there is a considerable overlap of functions and posts. | | | | • | Three layers can be distinguished: | | |  | http://146.185.164.77/passia.org/images/new/bullet1.gif | The “Old guard”, especially members of the Fateh Central Committee. | |  | http://146.185.164.77/passia.org/images/new/bullet1.gif | The “Young guard”: Individuals such as Marwan Barghouthi, Jibril Rajoub, Mohammed Dahlan, members of the PLC and of the Fateh Revolutionary Council. | |  | http://146.185.164.77/passia.org/images/new/bullet1.gif | Young activists on the grassroots level, such as the Tanzim and the Kataeb Shuhada Al-Aqsa. | |  |  |  | | • | Within this power structure there are numerous conflict lines between insiders and outsiders, “young” and “old guard”, reformers and those who oppose reform | | | • | Due to the simultaneous performance of individuals as heads of security forces, PA officials and Fateh members, the security sector is highly politicized. | | | • | The behaviour of the heads of different security forces in this politicized security sector is determined by the objective of maintaining or maximizing power. Thus the majority of those actors opposes reform or consents reform only in so far as the reform measures do not threaten their power position, sometimes by framing their actions in a reform discourse in order not to reform. | | | |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | ***The institutional dimension:*** SSR stipulates a clear functional differentiation between external and internal security agencies, a transparent legal basis, a unified command and control structure, and democratic accountability as well as a democratic ethos. |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | Proliferation of security orders in the context of the Oslo process: |
|  |  | •  The Palestinian security forces were founded with Israel 's consent and designed to provide for Israel 's security, i.e. by preventing political violence and countering internal strife in the Occupied Territories .  •  The current structure comprises at least nine agencies:  •  Civil Police (Shurta Madaniyya) •  Preventive Security (Amn al-Wiqa'i) •  Civil Defense (Dafah al-Madani) •  General Intelligence (Mukhabarat al-Amma) •  National Security Force (Amn al-Watani) •  Military Intelligence (Istikhbarat al-Askarim) •  Border Police •  Presidential Security/Force 17 (Amn al-Ri'asa) •  Navy Police (Shurta Bahriyya).  •  Furthermore, there are semi-independet security bodies such as the Rapid Deployment Special Police Unit (belonging to the Civil Police), the Military Police, and the Special Security Force (Amn al-Khas).  •  A third category are armed factions outside the official security structure such as Kataeb Shuhada al-Aqsa and other groups functioning as local authorities (e.g. in Nablus and Jenin).  •  There is no clear differentiation between the different bodies and no functional description of their respective roles. As a result, different authorities overlap. For example, there exist four different intelligence agencies who do not have a specified and limited function. No one seems to know what they do except for competing against each other. This situation is furthermore exacerbated by personal animosities between the respective heads and the fact that they tend to use and run their agencies as personal fiefdoms. |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | Reform efforts: |
|  |  | |  |  | | --- | --- | | • | Reform efforts are particularly difficult because they are undertaken against the backdrop of the aforementioned political context and the destruction of Palestinian security capacities by Isreal. | |  |  | | • | The institutional arrangement agreed upon during the reform debate in 2002 offers basically a reasonable three-pillar structure consisting of:   * The internal security bodies (Civil Police, Preventive Security, Civil Defence) under the authority of the Ministry of Interior. * The General Intelligence under the control of the National Securiy Council (NSC). * The National Security Forces (NSF) – the “proto-army” – including National Security, Force 17, Military Intelligence, Border Police, and Navy Police also under control of the NSC. | |  |  | | • | However, until present this structure has not transformed into practice. Although Civil Police, Preventive Security and Civil Defence are unified administratively under the Ministry of Interior, in reality they still directly report to and receive their orders from the president. Also, the assignment of the different “proto-army” components to a unified NSF command exists only on paper. | |  |  | | • | Further reform steps to be made should focus on three areas: | |  | •  Political control: | |  | * Quick implementation of the reform steps agreed upon in 2002, in particular full political control by the Ministry of Interior over Civil Police, Preventive Security, and Civil Defence. * Formulation of a – even preliminar – Palestinian national security doctrine that provides the conceptual basis for the future Palestinian security sector. * Extension of ministerial control and Palestinian Legislative Council (PLC) oversight to all security bodies with the aim of their de-politicalisation. This should proceed on the basis of a clear functional differentiation between the different agencies and legal provisions that specify their role, responsibilities, structures (in particular between external and internal bodies). * Empowerment of the PLC Interior Committee to exercise efficiently its oversight function and strengthening of the authorities of the official PA ombudsman, the PICCR (Palestinian Independent Commission for Citizens' Rights). * Replacement of the illegal NSC with a supreme command and control gremium on a clear juridical basis. * Limitation of the tenures of the heads of security forces to a specific period (4 years). | |  |  | |  | •  Structure of the security sector: | |  | * Right sizing of the different forces and reduction of security personnel (currently about 45 000) according to the force limits agreed on in a national security doctrine and specified in respective planning directives. * Further restructuring of forces such as the integration of the Military Intelligence in the NSF, the assignment of the Border Police to the Ministry of Interior, and the disbanding of the Special Security Force. | |  |  | |  | •  “Culture” of the security sector: | |  | * Re-orientation of the tradition of the security sector against the backdrop of human rights abuses and corruption in order to (re-)gain the trust and respect of the Palestinian citizenry and to guarantee their safety and security, especially with regard to internal bodies such as Civil Police and Preventive Security. * Limitation of kinship identity manipulation – i.e family and tribal relation effects -, especially in closure-affected areas such as Nablus and Jenin where local authorities have emerged and the rotation of security personnel between different localities is not possible anymore. | |
|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | ***The economic dimension:*** |
|  |  | The SSR precept refers to efficient consumption of resources and revenue collection and effective and transparent accounting, financing, and budgeting. |
|  |  | Palestine: |
|  |  | * A first step has been made by the introduction of a payroll system whereby security personnel is paid through bank accounts. * Further steps should include the accountability of resources consumption to the PLC Budget Committee and the prohibition of heads of security forces to pay higher salaries from their private funds. |
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|  | http://146.185.164.77/passia.org/images/new/arrow-sliver2-sm.jpg | ***The societal dimension:*** |
|  |  | The SSR precept calls for an enhanced role of civil society, i.e. NGOs, independent media, and research/advocacy institutions, in order to provide for checks and balances. |
|  |  | Palestine: |
|  |  | * There is an urgent need of involving the Palestinian civil society in security matters, both through the strengthening of independent auditing bodies such as the PICCR, Al Haq etc., and the promotion of a public debate on content, meaning and scope of “Palestinian security”. |