

THE PALESTINIAN SECURITY SECTOR



Photo: Courtesy of Al-Istiqlal University, Jericho

1. INTRODUCTION



April 2024 (Updated Edition)

While “security arrangements” were one of the issues deferred to the so-called permanent status negotiations, the September 1993 Declaration of Principles on Interim Self-Government Arrangements and the subsequent Oslo I and Oslo II Accords provided for a police force to maintain public order and internal security in the territories handed over to the Palestinian Authority (PA). Since then, the Palestinian Authority Security Forces (PASF) have undergone numerous reform processes in line with political developments and changes in leadership and security policies, but the focus remained on internal law and order and the assurance of Israeli – rather than Palestinian – security. This dilemma of symbolizing independence through arms and uniforms on the one hand, but lacking the necessary authority and jurisdiction on the other, has created a great potential for conflict from the outset and led to a situation in which “the civilian population of Palestine, whether living directly or indirectly under Israel’s military occupation in the West Bank and Gaza, is one of the least protected populations in the world.”¹

Contents:

1. Introduction.....	1
2. Historical Background.....	2
3. Actors in the Security Sector	7
3.1 Palestinian Authority Security Sector	7
3.2 International Actors	14
4. Legal aspects	18
5. Experiences and Challenges.....	21
5.1 Security Cooperation with Israel	21
5.2 Relationship with Civil Society	21
5.3 New and Other Armed Groups	29
5.4 Security Sector Reform.....	30
6. Outlook and Conclusion	31

The Palestinian security sector has played a crucial role for 30 years, yet little is known in the public domain about its operations, relations, and functioning, or the roles of external actors and the complexity of their involvement.

This bulletin seeks to fill this knowledge gap and provide a comprehensive overview of the origins and evolution as well as current structure and roles of the PASF. It looks at the facts and figures behind the sometimes-stereotypical images of the PA’s security sector and examines its environment, including public perceptions of its performance and involvement of international players, as well as the criticism directed at it and the challenges it faces.

¹ Spitka, T. (2023), “Palestinian National Protection Strategies and Realities,” in: *National and International Civilian Protection Strategies in the Israeli-Palestinian Conflict*, Palgrave Macmillan, pp. 71-105; https://doi.org/10.1007/978-3-031-20390-9_3.

2. HISTORICAL BACKGROUND

Oslo Accords 1993-1999

The Palestinian security sector has its origin in the Declaration of Principles on Interim Self-Government Arrangements (DoP) which the PLO and Israel signed on 13 September 1993 as part of the Oslo Accords. It provided for a “strong police force” to maintain public order and internal security, while Israel retained authority over defending against “external threats” and “overall security of Israelis”, including settlers.² A joint Palestinian-Israeli Coordination and Cooperation Committee for mutual security purposes was established³ and in December that year, the first police donor conference was held in Oslo.

On 12 April 1994, agreement on a 9,000-force strong Palestinian police was reached (2,000 from inside and 7,000 from outside, i.e., the Palestine Liberation Army⁴) and the Oslo I Accord, signed on 4 May 1994, allowed their deployment in areas from where the Israeli army withdrew – initially Jericho and Gaza. All personnel required Israeli authorization and their equipment was limited to 7,000 firearms, 120 machine guns, and 45 armored vehicles.⁵ On 10 May 1994, the first 157 policemen crossed into Gaza from Egypt, and three days later the PLA’s Al-Aqsa Brigade took up police duty in Jericho.

The Oslo II Accord, signed on 28 September 1995, extended self-rule to the remaining West Bank, where in late 1995 armed forces – now 30,000 (12,000 in the West Bank, 18,000 in Gaza) divided into six branches⁶ – were deployed with the additional task of preventing and combating violence and incitement against Israel.⁷ This was challenged by a series of suicide bombings, after which the PASF cracked down on Hamas, and the ‘tunnel riots’ in September 1996, when PASF exchanged fire with Israeli forces, making Israel’s fears that the PASF could pose a significant threat come true.⁸

Accordingly, the 1998 Wye River Memorandum on resuming the implementation of the Oslo Accords required the PA to confiscate weapons, step up efforts against suspected terrorists, and remove anti-Israel phrases from the Palestinian National Covenant.

Second Intifada (2000-2006)

During Nakba Day demonstrations in May 2000, Israeli and Palestinian forces traded live fire again,⁹ and on 28 September 2000, amid the crisis generated by the failure of the Camp David summit two months earlier, then Israeli opposition leader Ariel Sharon’s provocative “touring” of the Al-Aqsa Mosque compound sparked clashes that soon spread beyond Jerusalem and became known as the Second or Al-Aqsa Intifada. PASF members openly participated in the fighting, which was attributed to the disarray in their structure at the time and the interference of “unofficial” players such as the Fatah Tanzim and the Al-Aqsa Martyrs’ Brigades. In April 2001, a report on those events – known as Mitchell Plan after its head, US envoy George Mitchell – called for the resumption of security cooperation, and in June 2001, a ceasefire and security plan drafted by then CIA Director George Tenet called on Israel and the PA to take steps to prevent future violence.

In June 2002, the PA’s 100-Day Plan for Reforms called with regard to security for (1) restructuring the Ministry of Interior (MoI), attaching the security services to it and modernizing them, (2) attention to the population’s need for safety, order and rule of law; (3) discipline within the PASF; (4) reinforcing the loyalty to both the PA and the job; and (5) raising public awareness of these measures.

2 DoP, Art. VIII.

3 DoP, Annex II, Protocol on Withdrawal of Israeli Forces from the Gaza Strip and Jericho Area: 3 e.

4 Some argued that the security forces were being used to co-opt those who might otherwise have joined opposition factions.

5 Oslo I, Art. VIII and IX as well as Annex I, especially Article III.

6 Civil Police, Public Security, Preventive Security, Presidential Security, Intelligence, and Emergency Services and Rescue, see Oslo II, Annex I, Art. II and IV.

7 Oslo II, Art. XII and XIV.

8 The clashes, which were triggered by Israel’s opening of a tunnel under the Old City of Jerusalem, left 17 Israeli soldiers and 100 Palestinians killed and hundreds more injured.

9 E.g., “Violence Erupts in West Bank,” *BBC News*, 15 May 2000, http://news.bbc.co.uk/1/hi/world/middle_east/748844.stm.

In 2003, the “Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict,” sought a final settlement in three phases by 2005, but essentially pushed for a PA security apparatus that primarily served Israel.¹⁰ President Arafat subsequently established a National Security Council to oversee all security mechanisms.¹¹ After his death in November 2004 and the election of Mahmoud Abbas as his successor in 2005, reform efforts in the security sector gained momentum, aided by the creation of the US Security Coordinator (USSC) and the passage of important legislation: the Law of Service in the Palestinian Security Forces No. 8, regulating the management and operations of the security agencies, and the Law on General Intelligence No. 17.¹²

In January 2006, the EU Police Mission in the Palestinian Territories (EUPOL COPPS) began to support the police in becoming sustainable and effective. At the same time, Hamas surprisingly won the PLC elections, leading to a halt in aid to the PA, chaos within the PASF, and infighting between Fatah and Hamas, with the latter taking over Gaza in June 2007.¹³

Reforms and Professionalization (since 2007)

Since then, the focus was on the restructuring and professionalization of the PASF, beginning with President Abbas dissolving the National Security Council and Prime Minister Salam Fayyad introducing his reform and institution-building program, supported by the USSC under the leadership of General Keith Dayton (who established what was referred to as the “Dayton Forces”, which gained questionable fame for suppressing dissent to the PA). After the Annapolis Conference in November 2007, reorganizing the PASF commenced, with the General Intelligence and Presidential Guard reporting to the President, and the National Security Forces, Civil Police, Civil Defense, Preventive Security and Military Intelligence to the Prime Minister through the Mol.¹⁴

In 2008, the EU added a Rule of Law Section to its police development mission and the USSC helped open a training center for the Presidential Guard in Jericho. Subsequently, other countries also contributed to training and equipping of the PASF. An amnesty program negotiated with Israel in 2009-10, saw many “wanted” members of the Al-Aqsa Martyrs’ Brigades pardoned and absorbed into the PASF, and an early retirement program was launched to reduce the PASF payroll.¹⁵ Reform efforts, largely attributed to the USSC’s role, continued after Prime Minister Fayyad was forced to resign, although the Mol’s power further diminished and much of the oversight function fell back into the hands of President Abbas, which is still the case.

Since 2008, the PA has issued four Security Sector Strategic Plans (for 2008-2010, 2011-2013, 2014-2016, and 2017-2022) with the vision of “A well-governed security sector that contributes to building a sovereign independent Palestinian state and protecting it from internal and external threats.”¹⁶ In May 2022, a plan for administrative, fiscal, economic, social and security reforms was adopted, and in January 2024, Prime Minister Shtayyeh announced a reform package under international pressure in the course of discussions on post-war Gaza, which included changes to the recruitment of security forces.

10 With regard to security, Phase I of the Roadmap (April-May 2003) foresaw resumption of security cooperation and consolidation of the PASF into three services under an empowered Minister of Interior, while Phases II (June-December 2003) and III (2004-2005) focused on comprehensive security performance and effective cooperation.

11 Announced on 11 September 2003, the Council was headed by the PA President and consisted of 14 members: the Prime Minister, the Ministers of Foreign Affairs, the Interior, Finance, and Negotiations, one member each of the PNC, the PLO Executive Committee, and the PLC, the two Commanders of the West Bank and Gaza National Security Forces, the General Intelligence Service Chief, and three security advisors. In 2004, interim President Rawhi Fattouh transferred the Council’s chairmanship to the Prime Minister, but in September 2005, President Abbas issued Decree No. 26 transferring it back to the President and in June 2007, he dissolved it.

12 Full texts are available at: <https://security-legislation.ps/>.

13 After the PASF had refused to report to a Hamas-led Interior Ministry, Hamas set up its own security agency in Gaza - the Executive Force. See Roland Friedrich and Arnold Luethold, “Introduction,” in *Entry Points to Palestinian Security Sector Reform*, Geneva: DCAF, 2007.

14 US Security Coordination Road Warrior Team, *West Bank: Palestinian Security Forces, 2008*. Largest units were the National Security Forces with 7,600 and the Civil Police with 6,457 personnel.

15 See, for example, International Crisis Group, “Squaring the Circle: Palestinian Security Reform, under Occupation,” *Middle East Report*, No. 98, 7 September 2010.

16 https://www.moi.pna.ps/docs/STP_EN.pdf

Oslo Accords / Process

April 12: Israel and PLO agree on that the Palestinian police would be 9,000-force strong.

May 4: Israel and PLO sign the Cairo Agreement, *inter alia*, providing for a Palestinian 9,000-strong police force for five years (i.e., until the final status negotiations).

May 10: The first 157 Palestinian policemen enter Gaza from Egypt.

May 13: The PLA's Al-Aqsa Brigade takes up duties as police force in Jericho.

June: The Palestinian security apparatus is divided into national, preventive, public and presidential security branches.

Sept.: PA police fight Israeli forces in deadly riots that ensue as Israel opens a tunnel running near Al-Aqsa Mosque; followed by enhanced covert funding and assistance for PA security.

Oct. 15-23: Wye River summit ends with agreement: new security plan with timetable and under CIA supervision as well as further Israeli redeployment. Marked the start of Palestinian security cooperation with Israel.

The Law on Civil Defense No. 3 of 1998: regulates the competences of the Civil Defense.

1993

1995

1997

1999

1994

1996

1998

Sept. 13: PLO, Israel sign Declaration of Principles providing, *inter alia*, for a Palestinian police force to maintain internal security.
Dec.: First police donor conference held in Oslo, with EU, US, World Bank, 14 donor countries, PLO and Israel.

April 10: State Security Courts begin operating.
Sept. 28: Oslo II Agreement Palestinian self-rule extends to the West Bank, adds preventing and combating violence and incitement against Israel (Art. XII and XIV) as task and increases the number of PA forces to 30,000.
Nov. 19: PA forces enter Tulkarem.
Dec. 3: PA police arrive in the Bethlehem area.
Dec. 11: PA forces arrive in the Ramallah area.
Dec. 17: PA police enter Qalqilya.
Dec. 21: PA police enter Bethlehem.

The PA security sector is increased to 32,000 police.

Report by the Independent Task Force on Strengthening Palestinian Public Institutions points to shortcomings in the PA's performance in the security domain.

USCC reorganizes the PA security forces into 7 units, two under the President, and 5 under Interior Ministry.

US Congress approves \$75 million for PA security assistance.

EU adds a Rule of Law Section to its police development mission.

PA publishes its Security Sector Strategic Plan 2008-2010

Reforms and Institution-Building (Fayyad)

PA has 63,474 security forces.

Hamas and Fateh talks stuck on issue of the amalgamation of separate security forces.

Negotiations with Israel result in an amnesty program, in which many "wanted" members of the Al-Aqsa Martyrs' Brigades are pardoned and absorbed into the PASF.

Hamas's forces are estimated at 15,000.

2007

2009

2011

2013

2008

2010

2012

March: Mohammed Dahlan is appointed head of the reinstated National Security Council.
May: Dayton Plan.
June: Civil War in Gaza; Pres. Abbas dissolves the National Security Council, forms a new one headed by Salam Fayyad.
- US establishes the PASF training program and works on Security Sector Reform.
Nov. 2007: Annapolis Conference; subsequently William Fraser appointed as Road Map Monitor and James Jones as special envoy to Regional Security.
- The Law by Decree No. 11 of 2007 defines Preventive Security as part of the Internal Security Forces.

March: Presidential Guard training center opened in Jericho.
June: PA has 62,096 security forces; Hamas government 15,500.

PA has 63,515 security forces.
PA publishes its Security Sector Strategic Plan 2011-2013
A Gender Unit is established in the police

The PA police established a specialized cybercrimes unit.

Second Intifada and Aftermath

May 15: During demonstrations marking Nakba Day, the Israeli army and Palestinian forces traded live fire.

Sept.: 2nd Intifada breaks out, involving PA security forces.

June 13: The PA's 100-Day Plan for Reforms, restructures, *inter alia*, the Interior Ministry and security apparatus.

Draft of the US "Road Map" for Middle East Peace published.

Nov. 11: President Arafat dies.

Jan.: EUPOL COPPS is established to assist the PA police.

Jan. 25: Hamas win Palestinian elections.

April: Rashid Abu Shbak appointed to head three security services under the PA Interior Ministry.

May: Hamas creates Executive Force in Gaza.

June: The number of security forces is 61,051, that of "security trainees" 17,021.

Oct.: US Gen. Dayton proposed reducing the number of overlapping security services.



The number of PA security forces is estimated at 40,000.

April 30: Mitchell Plan - Sharm El-Sheikh Fact-Finding Committee.

June 13: Tenet Plan for ceasefire and security.

The "Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict" is published.

The number of PA forces is estimated at over 52,000.

Sept. 11: National Security Council formed.

March: Creation of the US Security Coordinator (USSC).

The Law of Service in the Palestinian Security Forces No. 8 regulates the management and operations of the security agencies.

The Law on General Intelligence No. 17 is issued.

Professionalization of PASF

April: Ministry of the Interior publishes Palestinian Security Sector Strategic Plan 2014-2016.

Sept.: PA has 65,277 security forces.

April: PA publishes its Security Sector Strategic Plan 2014-2016.

PA has 65,463 salaried security forces, Hamas 17,813.

Police develops a gender strategy jointly with UN Women.

Feb.: PASF arrest striking Palestinian teachers.

Training of troops transition from Jordanian police to internal PASF trainers.

PA has 65,829 security forces; Hamas forces estimated at 20,466.

PCBS' Rule of Law and Access to Justice Survey published.

May 19: In response to Israel's annexation plan, the PA halts security coordination with Israel and the US.

Nov.: PA announces resumption of security cooperation with Israel in the West Bank.

Nov.: PA publishes its Security Sector Strategic Plan 2021-2023



PA has 65,527 security forces.

March: The PLO Central Council votes to suspend security coordination with Israel.

April: PA police stations are set up in three neighborhoods near Jerusalem: Ar-Ram, Abu Dis, and Biddu.

Following a string of "lone wolf" attacks on Israelis, mainly by Palestinian youths, PASF also monitors schools and social media.

PA publishes its Security Sector Strategic Plan 2017-2022.

July: The PA suspends security coordination with Israel in the wake of Israel's placing electric gates at the entrances of Al-Aqsa Mosque compound.

Sept. 27: Interpol votes to admit "the State of Palestine" as a new member country.

Dec. 26: President Abbas signed Decree Law No. 23, classifying the police service as a civil force, whose members are accountable before regular judiciary

Feb.: US cut funding for PA security forces as a new US anti-terrorism law took effect.

Nov.: The Civil Forum to Promote Good Governance in the Security Sector launches the first Integrity Index of the Security Sector in Palestine.

2021

PASF are estimated to number almost 42,000 (of which some 17,000 in Gaza)

In June 2021, PASF members beat to death PA critic Nizar Banat, igniting wide-spread anti-PA protest that were met with violence by PASF, especially against journalists.

2022

May 2022: The Palestinian government launched the government **reform agenda**, which was presented to the May 2022 donor conference held in the Belgian capital Brussels. It included five focal points and twenty-one priority reform steps covering all areas of: administrative reform; fiscal reforms; economic reforms; social reforms; and **security and public order** reforms.

May 2022: Palestine's first policewomen conference takes place.

October 2022: establishment of a **Supreme Council for Judicial Bodies and Agencies**

To strengthen his hold on the judiciary, President Abbas issued a presidential decree in October 2022, ordering the establishment of a **Supreme Council for Judicial Bodies and Agencies** to oversee the judicial system, headed by himself and consisting of the heads of the Constitutional Court, the Supreme Court, the Court of Cassation, the high court for administrative issues, the security forces' courts and the Sharia courts, as well as the justice minister, public prosecutor and president's legal adviser

An annual work plan for gender mainstreaming within the security sector was adopted.

2023

January 2023: the policewomen network is officially launched by Police Maj. Gen. Yousef Al-Helou.

March 2023: PA announced ending of security coordination with Israel.

Sept. 2023: PASF tried to remove barricades preventing Israeli army from entering Tulkarem refugee camp, resulting in a gunfight between PASF and the local resistance

3. ACTORS IN THE SECURITY SECTOR

3.1 Palestinian Authority Security Sector

Structure

Since its inception, the structure of the PA's security sector – its forces, their mandates, strengths, and to whom they report – has undergone several changes. The existing legislation is incomplete, leads to overlapping responsibilities and unclear decision-making mechanisms within the various agencies, and reflects the status quo rather than a comprehensive vision of security.¹⁷

The PA has neither a Ministry of Defense nor an army, and there is no conscription, because it operates under the framework of the Oslo Accords, which limit its sovereignty and leave external and overall security control with Israel. According to the most recent Security Sector Strategic Plan, the PASF consist of the MoI, which is currently headed by **Maj. Gen. Ziad Hab Al-Rih** and eight agencies: National Security Force, Civil Police, Civil Defense, Customs Police, Preventive Security, Military Intelligence, General Intelligence, and Presidential Guard.¹⁸ As their willingness to share data is low, some of the figures mentioned below are not very up-to-date.



Currently, there are four main divisions¹⁹:

(1) **General Intelligence:** Independent security body subordinate to and under the direct command of the President, who appoints its head and deputy for 3 (+1) year terms.²⁰ It is in charge of external and counterintelligence gathering and security operations²¹ as well as internal criminal investigations and arrests; cooperates with CIA and other foreign intelligence services; commands a paramilitary force; and targets political opponents. Members are plain-clothed and carry out both covert and public operations. Currently headed by **Maj. Gen. Majid Faraj**.



(2) **National Security Forces:** Army-style forces that were established as a substitute to the Palestine Liberation Army and report to the President. They operate under the MoI, headed by the Commander-in-Chief, who is appointed by the President for 3 (+1) years and who himself nominates the heads of related bodies and directorates and the military commanders, who then will be appointed by the Minister of National Security.²² There is currently no legal text regulating their powers and tasks, but in practice they assist the Civil Police and other security agencies as an operational reserve in keeping public order and security. They have area commands in each governorate. Their training is funded by the USSC. Current Commander-in-Chief is **Maj. Gen. Nidal Abu Dukhan**.²³ Part of the NFS are also Military Liaison and Intelligence:



- The **Military Liaison** is the official body responsible for security cooperation with Israel through its District Coordination Offices (DCO), but mainly with regard to day-to-day civil matters. Training is funded by the USSC. Current commander is **Maj. Gen. Jihad Al-Araj**.



- The **Military Intelligence** was established 1994 to protect national security and collect intelligence on threats and terrorism, but has been accused of operating as an internal security organization to repress opposition. It is also in charge of law enforcement for matters involving PASF personnel, including accusations of abuse and corruption (MoI Decision No. 707, dated 17 August 2007). It reports to the Minister of Interior and has been supported by the CIA. Currently headed by **Zakaria Musleh**.²⁴



¹⁷ DCAF has a searchable database of laws, decrees and other security related legislation at: <https://security-legislation.ps/>.

¹⁸ PA-MOI, *Security Sector Strategic Plan 2021-2023*, November 2020 (English translation of the 2020 Arabic original).

¹⁹ Based on the Law of Service in the Palestinian Security Forces No. 8 of 2005, as well as the 2016 Law by Decree No. 2 on Customs Police which added the Customs Police as a fourth force within the Internal Security apparatus.

²⁰ General Intelligence Law No. 17 of 2005. For details see also <https://www.pgis.ps/>.

²¹ Art. 13, Law of Service in the Palestinian Security Forces No. 8 of 2005 and Art. 8, General Intelligence Law of 2005.

²² Art. 8 and 9, Law of Service in the Palestinian Security Forces No. 8 of 2005.

²³ For further details see <https://www.nsf.ps/>.

²⁴ See their website <https://www.pmi.pna.ps/> for more details.

(3) **Internal Security:** operates under the MoI²⁵ and is headed by the Director General of Internal Security, whose position, however, has never been filled, who is appointed by the President on the recommendation of the Council of Ministers for 3 (+1) years and who in turn appoints the heads of Civil Police, Civil Defense, and related bodies and units,²⁶ while the head of Preventive Security is appointed by the President for 4 (+1) years.²⁷

- The **Preventive Security** is responsible for intelligence/secret service investigations related to internal security cases, including economic, espionage, and political security. It works to prevent attacks and investigates security or government-related criminal conduct. It operates under the MoI but also reports to the President. It supports border security and other authorities in performing their tasks. Cooperates with the CIA²⁸ and Israeli security agencies. In 2017, their strength was estimated at 4,000.²⁹ Currently headed by **Abdul Qader Al-Tamari**.



- **Civil Police** was established in 1994 as a regular police force primarily responsible for civil and community policing, i.e., combating crime and upholding public order (e.g., criminal investigation, correction & rehabilitation centers, anti-drugs, traffic police, Tourist & Antiquities Police, Special Police Forces, riot control, property protection etc.). It has 38 departments and units, maintains prisons and detention facilities, and has district offices in all cities.³⁰ It is the security service most popular among the public.³¹ In 2021, there were about 295 policemen per 100,000 inhabitants in the West Bank, which is beyond the EU average (=333/100,000, as of 2020).³² In 2022, there were 9,162 police forces in West Bank police stations, including 553 (6%) women.³³ The police is headed by **Maj. Gen. Yousef Al-Helou**. EUPOL COPPS are the lead international agency supporting the police.



- The **Civil Defense** protects civilians and their property from acts of warfare, natural disasters, fires, maritime and any other danger.³⁴ It protects buildings, facilities, and institutions, ensures the safety of all kinds of transportation and regular workflow in public facilities, and raises community awareness of prevention measures, public safety and emergency response.³⁵ In early 2024, their personnel numbered 1,548, 6% of whom were women.³⁶ Currently headed by **Maj. Gen. Abdul Ibrahim Khalil**. EUPOL COPPS are the lead international support agency.



(4) **Customs Police:** established in 2016, it is subordinate to the MoI. Its Director-General is appointed by the President on the recommendation of the Council of Ministers.³⁷ Responsible for interdicting and seizing goods that are spoiled, expired, forged, counterfeit, or illegally from settlements, and for combatting smuggling and tax evasion. It operates in Area A and also oversees customs on active Palestinian borders. It currently maintains 1,001 officers, 99 (9.9%) of whom are women³⁸ and is headed by **Maj.-Gen. Iyad Barakat**.



25 The Law of Service in the Palestinian Security Forces No. 8 of 2005 included a Ministry of National Security under which the NSF were to operate, but as per Decision 323 of 2007 they were also placed under the MoI. At present, no separate Ministry of National Security exists.

26 Art. II, Law of Service in the Palestinian Security Forces No. 8 of 2005.

27 Decree Law No. II of 2007 Concerning the Preventive Security.

28 E.g., "Senior PA security official: Hamas, PIJ recruiting youth 'with nothing to live for'", *Times of Israel*, 27 July 2023, <https://www.timesofisrael.com/senior-pa-security-official-hamas-pij-recruiting-youth-with-nothing-to-live-for/>.

29 The International Institute for Strategic Studies, *Military Balance 2017*, Routledge, 2017.

30 See their website <https://www.palpolice.ps/> for details.

31 See details under chapter 5.2 below.

32 Zorob, Anja (2024), "Frieden und Versicherunglichung - Die Grenzen des Staatsaufbaus unter den Bedingungen der Besatzung am Beispiel der Zusammenarbeit Deutschlands und der EU mit der palästinensischen Polizei," in W. Gieler & M. Nowak (eds.), *Deutsche Entwicklungszusammenarbeit im Spannungsfeld der Aussen- und Sicherheitspolitik, (Re-)konstruktionen - Internationale und Globale Studien*. Wiesbaden: Springer VS.

33 The majority of the police is under 50 years and has 10+ years of experience. PCBS, *Security and Justice Statistics*, 2021, 2022.

34 Civil Defense Law No. 3 of 1998.

35 For more details see their website at <https://pcd.ps/>.

36 Nael Al-Aza, Manager of the Civil Defense's PR and Media Department.

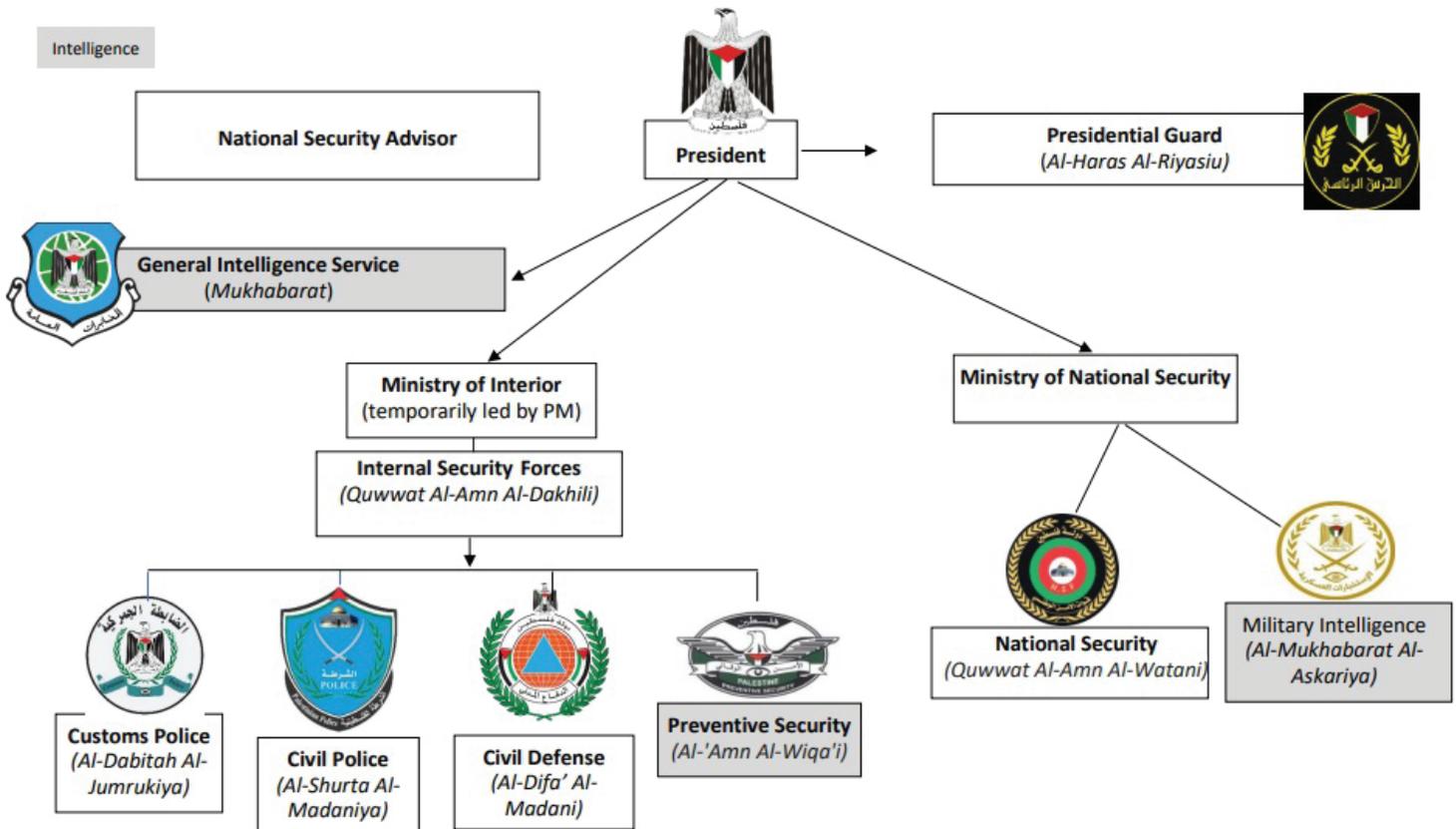
37 Law by Decree No. 2 of 2016 on Customs Police.

38 Ibrahim Ayash, PR and Media Department of the Customs Police. See also <https://ar-ar.facebook.com/customspoliceps/>.

Besides these forces, there is a **National Security Advisor** (currently **Lt. Gen. Haj Ismail Jabr**) and the **Presidential Guard**, which was established with the return of President Arafat to Palestine in 1994. Originally known as Force 17, it was formally created by presidential decree only in December 2007³⁹ and is not (yet) governed by a law. Based in the PA's Ramallah headquarters (Muqata'a), this elite force protects the President, Prime Minister, high-ranking officials and foreign delegations as well as facilities. If needed, it also supports other security forces in riot control and law enforcement. It is unclear whether it submits reports on its operations.⁴⁰ In 2017, their strength was estimated at 3,000.⁴¹ It is currently headed by **Maj. Gen. Munir Al-Zuabi**.



Basic Formal Command Structure of the Palestinian Security Forces



* Forces in the shaded boxes are intelligence units.

Two other services practically do not exist anymore: the **Naval or Coastal Police**, also known as the Gaza Marine, which was established in the 1994 Gaza-Jericho Agreement to protect the territorial waters of Gaza and serve as coast guard to prevent the smuggling, and the Air or **Aviation Police** to supervise the helicopters of the President and all approved air trips and secure all arriving aircraft.

In addition to the above, there is a number of directorates and commissions⁴² whose exact subordination and cooperation with the aforementioned units is unclear. These include:

39 Decision No. 324 of 2007, Article I: "The Presidential Forces (Force 17) shall be merged within the Presidential Special Guard and National Security Forces."

40 For details see <https://www.facebook.com/PresidentialGuards>.

41 The International Institute for Strategic Studies, *Military Balance 2017*, Routledge, 2017.

42 PA-MOI, *Security Sector Strategic Plan 2021-2023*, November 2020 (translation of the September 2020 Arabic version).

- **Organization and Administration Commission:** in charge of human resources management and the organizational structures for all PASF services based on their respective tasks and duties.
- **Security Forces Justice Commission:** responsible for the detention, investigation and prosecution of PASF members.
- **Political and National Guidance Commission:** charged with the society's political and educational development through the preservation of the values and interests of the Palestinian people. Its exact activities are unclear.
- **General Military Training Commission:** the authority for all PASF training and doctrine. (Other internal training is done through the services).
- **Logistics Commission:** responsible for PASF logistics.
- **District Coordination Office:** facilitates security cooperation with Israel; PASF offices communicate with Israel's District Coordination and Liaison Offices, *inter alia* to coordinate PASF movements outside of Area A, the movement of Palestinian workers or students into Israel, and trade through Israeli controlled areas.
- **Military Medical Service:** responsible for the health and safety inspections of security institutions and the medical services for PASF members and their relatives.⁴³
- **General Armament Directorate:** charged with needs planning, storing, maintenance and control (tracking) of weapons and ammunition for the PASF.
- **Military Financial Administration:** liaison between the PASF and the Ministry of Finance, charged with the execution of financial decisions and laws, among other duties.

Hammas Security Forces in Gaza

In Gaza, Hamas runs its own security apparatus divided into internal security (civil police, guards and protection security), internal intelligence, and civil defense as well as national security (military justice, military police, medical services, and the prison authority).⁴⁴ In addition, Hamas maintains its military wing, the Izz Eddin Al-Qassam Brigades with its elite, artillery, tunnel, snipers and infantry units. Prior to 7 October 2023, Hamas' forces in Gaza were estimated at between 25,000 to 40,000.⁴⁵

Personnel

The security sector is the largest employer of the PA and has the largest share of its budget allocated. The exact strength of the PASF is not known. In 2021, their number was given as 51,759⁴⁶, making it one of the highest ratios of security personnel to civilians in the world. However, according to the CIA, the PASF numbered only 28,000 active personnel in 2023,⁴⁷ while Israeli figures suggested around 45,000.⁴⁸ By global standards, the PA's security sector is very large at almost 10 personnel per 1,000 inhabitants, compared with a global average of some 4.5/1,000.⁴⁹ Thus it is no surprise that in 2022, 62% of respondents to a poll said "Security" (West Bank: 73%, Gaza: 46%), when asked which sector or ministry should be selected for budget cuts.⁵⁰

Since the Hamas takeover in 2007, about a third of the PASF have been posted in Gaza, receiving a salary without being on active duty (mainly to avoid defecting to Hamas). One of the ideas floated in the wake of discussions on the "Day After" of the 2023-2024 Israel-Hamas War, was to reengage them so that they serve as a nucleus for a future force in Gaza.⁵¹

43 See <https://www.facebook.com/MilitaryMedicalServiceofpalestine> for details.

44 US Department of State, *West Bank and Gaza Strip 2022 Human Rights Report*, March 2023, https://www.state.gov/wp-content/uploads/2023/03/415610_WEST-BANK-AND-GAZA-2022-HUMAN-RIGHTS-REPORT.pdf.

45 See *CIA World Factbook, Gaza Strip*, 2023; and "What to know about Hamas' military capabilities," *Axios*, 21 October 2023; <https://www.axios.com/2023/10/21/palestine-hamas-military-power>.

46 According to the Organization and Administration Commission, as of February 2021; there are another 1,000 "foreign officers" (e.g., in Lebanon or elsewhere abroad) and "prisoner detainee personnel." The security sector pay scale for 2021 suggested a similar number: 53,445 security employees. World Bank, *Wage Bill and Employment Diagnostic: Key Drivers and Policy Recommendations*, December 2022, <https://documents1.worldbank.org/curated/en/099320012152224196/pdf/P17870707ee3d60d0b5460a16a39379461.pdf>. 47.

47 *CIA World Factbook, West Bank*, 2023, <https://www.cia.gov/the-world-factbook/countries/west-bank/>.

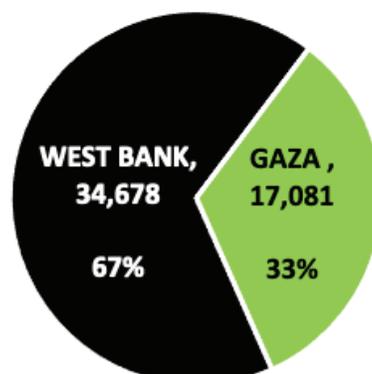
48 <https://www.israelhayom.com/2023/12/18/the-other-front-how-the-palestinian-authority-is-preparing-for-battle-right-under-our-noses/>.

49 World Bank, *Economic Monitoring Report to the Ad Hoc Liaison Committee*, May 2022, p. 14.

50 PCPSR Poll, September 2022, Question 39.

51 "US wants Palestinian Authority security forces deployed to post-war Gaza: report," *The New Arab*, 18 December 2023; <https://www.newarab.com/news/us-wants-pa-security-forces-deployed-post-war-gaza>.

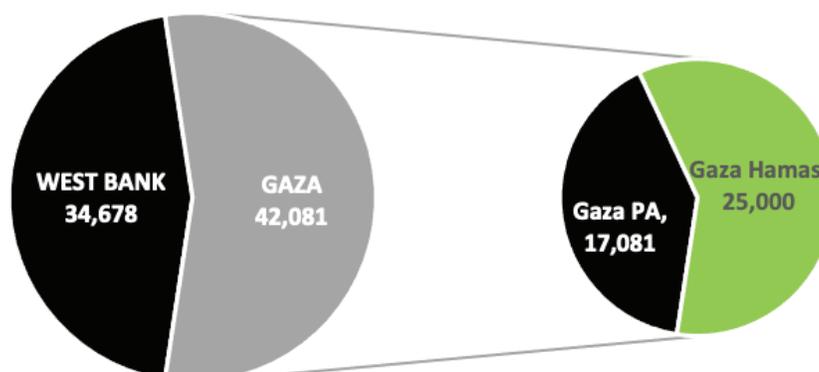
Distribution of PASF in the West Bank and Gaza, 2021



Source: Organization and Administration Commission, February 2021.

If Hamas forces are included, the distribution of security forces looks as follows⁵²:

Distribution of PA and Hamas Security Forces in the West Bank and Gaza



Sources: PASF: Organization and Administration Commission, February 2021;
Hamas: *CIA World Factbook, Gaza Strip*, 2023.

Share of Public Expenditures

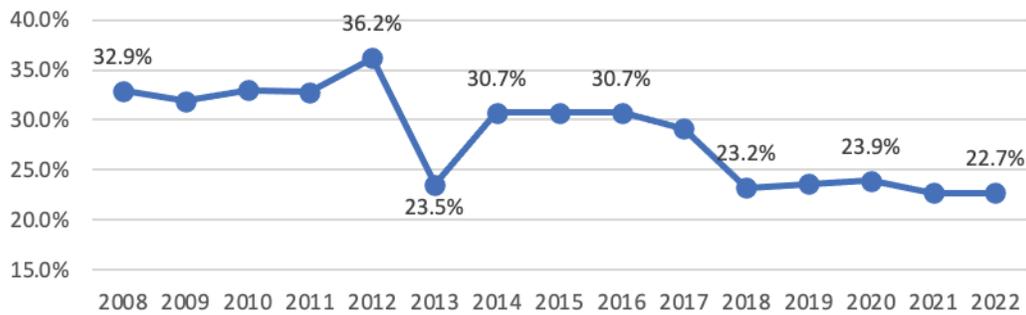
While the PA's budgeted security expenses have decreased since 2012, both in absolute terms and as share of the total budget – mainly due to voluntary and forced early retirements – the security sector is still inflated. In 2022, total expenditure for “Ministry of Interior & Security” increased by 3.4% over 2021 to NIS 3,685 million, comprising 22.8% of total PA spending or 46.7% of the Government Sector budget⁵³, which is very high.⁵⁴ At least three quarters of the total are spent on salaries and wages.

⁵² Figure from the *CIA World Factbook 2023*; other sources suggest 30,000, <https://www.jordannews.jo/Section-20/Middle-East/The-seven-military-wings-of-the-Palestinian-Resistance-32955>.

⁵³ Ministry of Finance, monthly reports for December 2021 and 2022.

⁵⁴ In comparison, in 2019, the OECD average for central government spending on public order and safety was 4.6%, the EU average was 5.3%, the US 1.3% and of Israel 4.7%. See <https://data.oecd.org/gga/central-government-spending.htm>.

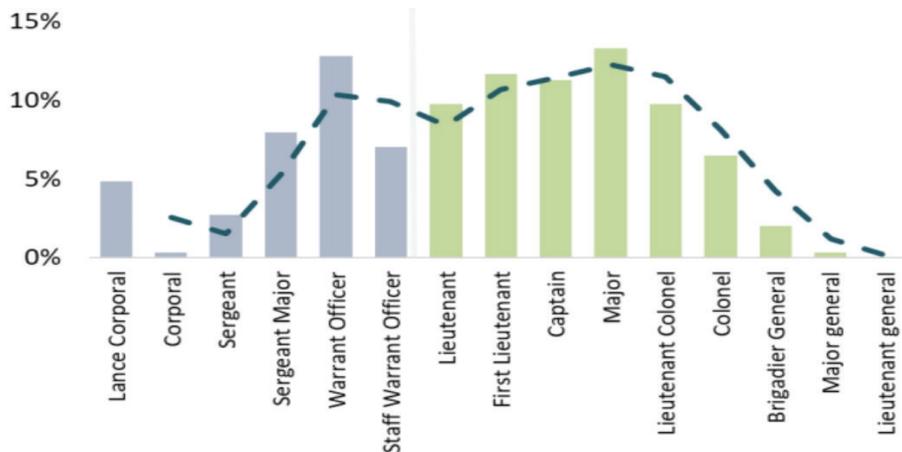
Percentage of Security and Public Order of all Expenditures



Source: Palestinian Ministry of Finance, monthly reports.

The disaggregation of funding received between the various forces is unclear, but the security sector’s budget is certainly challenged by the excessive staffing levels in some agencies and the large number of officers who are higher on the pay scale than regular soldiers, as the graph below illustrates.⁵⁵ The security sector pay scale ranges from NIS 1,330-NIS 2,326 in the lowest rank to NIS 4,420-NIS 7,730 in the highest.⁵⁶

Wage Bill Spending Within the Security Pay Scale



Source: World Bank (2022), *Wage Bill and Employment Diagnostic: Key Drivers and Policy Recommendations*.

This structural imbalance, along with the fact that some agencies have too many personnel while others (especially Civil Police, Customs Police, Civil Defense) are understaffed, is criticized by civil society groups as well as international donors, who call for reorganizing and “right-sizing” the PASF.⁵⁷

In November 2022, the PA had announced that new recruitments would not exceed 50% of retirements and other exits during 2023, by mid-2023 the ratio of recruitments to exits had reached 94% (131% in the security sector and 79% in the civilian sectors).⁵⁸

55 The USSC refers to this as “inverted pyramid”: in 2021, 50.6% of the security forces were officers and only 9.5% are “ordinary” soldiers; Organization and Administration Commission, February 2021.

56 The pay scale for security sector staff, established under the 2007 Security Forces Law, differentiates 15 ranks/grades with an annual increment of 1.25% as one moves up the steps. World Bank, *Wage Bill and Employment Diagnostic: Key Drivers and Policy Recommendations*, op. cit.

57 AMAN & CFGGS (2020), *The Palestinian Security Sector Budget 2019: Basis of the Internal Missions (Miscellaneous Spending) in Operating Expenses*, https://www.aman-palestine.org/cached_uploads/download/2021/01/20/security-budget-english-translation-1611148250.pdf.

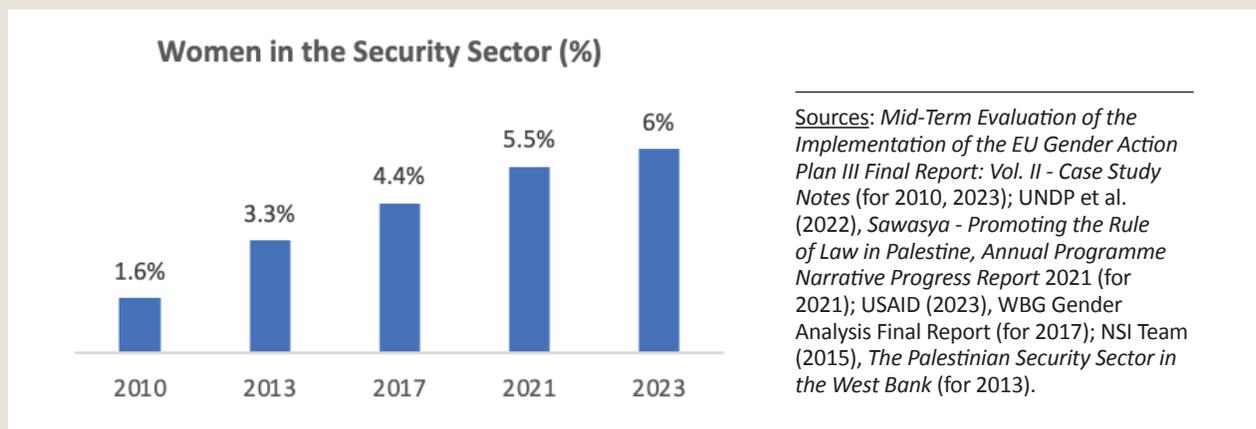
58 World Bank, *Economic Monitoring Report to the AHLC*, September 2023.

WOMEN IN THE SECURITY SERVICES

The role of women in the Palestinian security sector has evolved over the years and various training, awareness, and advocacy programs have been implemented to encourage their inclusion. In 2011, a Gender Unit was established in the police, and in 2016, a gender strategy was developed jointly with UN Women.⁵⁹ The Security Sector Strategic Plan 2014-2016 laid the foundation for strengthening gender, but women are still widely excluded from recruitment and replacement mechanisms as well as decision-making. They are mostly placed in administrative jobs and face – in violation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) – unequal treatment compared to their male colleagues when it comes to social security, health insurance, promotions, allowances, holidays, scholarships, courses abroad and decision-making positions. For example, while women pay monthly pensions they cannot – unlike men – transfer them to their spouses if they die.⁶⁰

In 2020, the PA adopted its second National Action Plan to consolidate and enhance women’s equality in decision-making and peace efforts in line with UNSC Resolution 1325 on Women, Peace and Security. In 2022, an annual work plan for gender mainstreaming within the security sector was adopted,⁶¹ and in May 2022, Palestine’s first policewomen conference took place, which resulted in the formation of a policewomen network. With support from the Sawasya program and EUPOLCOPPS, bylaws were produced, board elections held and an annual workplan developed,⁶² and in January 2023, the network was officially launched by police chief Maj. Gen. Yousef Al-Helou.⁶³ At a meeting on “Gender in the Security Apparatus” in May 2023, Interior Minister Maj. Gen. Ziad Hab Al-Rih noted the interest in providing support and assistance to the gender units in the security institutions.⁶⁴

With the help of the EU and UN Women, the Palestinian police was one of the first police services in the Arab World to adopt a gender action plan, complemented by a gender curriculum in the Police College. Women start to be represented in senior ranks, and women police officers joined the International Women Police Officers network.⁶⁵



Although the number of women in the security sector has almost doubled within a decade from 3.3% in 2013 to 6% in 2023, they are still underrepresented. A higher proportion would be desirable because studies show that women are less likely to access security services – due to a lack of awareness, a lack of trust, and, in cases of domestic abuse,

59 Under “Sawasya” – the UNDP/UN Women joint program “Strengthening the Rule of Law: Justice and Security for the Palestinian People” (2014-2017); for the full Palestinian Civil Police Gender Strategy see <https://palestine.unwomen.org/sites/default/files/Field%20Office%20Palestine/Attachments/Publications/2017/PCP%20Gender%20Strategy%20EN.pdf>.

60 Alsharif, Haitham, “How Gender Inequality in the Palestinian Security Services Violates Basic Law,” *The New Arab*, 21 July 2021, <https://www.newarab.com/features/gender-inequality-palestinian-security-services>.

61 UNDP et al. (2023), *Sawasya - Promoting the Rule of Law in Palestine, Annual Programme Narrative Progress Report 2022*, https://mptf.undp.org/sites/default/files/documents/2023-05/jp_opt_sawasya_ii_2022_annual_report_revised_final.pdf.

62 *Ibid.*

63 *Launching of the first Palestinian Policewomen Network (PCPWN) with support from Sawasya Programme & EUPOL COPPS*, Ramallah, 24 January 2023.

64 “The Minister of Interior opens the gender dialogue session in the security establishment”, *Maan News*, 14 June 2023 (Arabic), <https://www.maannews.net/news/2095290.html>

65 European Commission, *Mid-Term Evaluation of the Implementation of the EU Gender Action Plan III Final Report: Volume II - Case Study Notes*, April 2023; https://international-partnerships.ec.europa.eu/system/files/2023-05/eu-gender-action-plan-iii-mid-term-evaluation-volume-2-case-study-notes_en.pdf.

the stigma attached in reporting it,⁶⁶ and would be more likely to turn to female police officers. On the other side, there have also been many reports on PASF assaulting women protestors or journalist, using smear campaigns, violent attacks, rape threats, confiscation of electronic devices, intimidation and harassment, arrest attempts, and a ban on reporting.⁶⁷ There have also been incidents where phones of women were hacked and their photos published on social media.⁶⁸ In the period 2016-2021, at least 9% of all claims of torture and other forms of cruel, inhuman and degrading treatment were filed by women; in 2021, there were 86 such cases.⁶⁹ In addition, PASF reportedly fail to intervene in cases of domestic violence.⁷⁰

3.2 International Actors

Several international actors support the Palestinian security sector, regularly consulting and coordinating through the Security Sector Working Group (SSWG), which is a forum for strategic discussion of reforms to improve the PASF's quality, governance, and accountability. It is co-chaired by the MoI and the UK, receives technical advice from international actors, and includes representatives from the Palestinian civil society and private sector.

External interventions include advice, training, infrastructure and equipment support as well as third-party monitoring. The US is the largest security sector donor, providing about \$35 million per year of International Narcotics Control and Law Enforcement (INCLE) foreign assistance funding through the office of the US Security Coordinator (USSC), while other states contribute staff as well as technical and financial assistance. The second largest contributor is the European Union (EU) which works mainly with the Civil Police through its EU Coordinating Office for Palestinian Police Support (EUPOL COPPS) and manages the EU Border Assistance Mission (EUBAM) in Rafah. Germany funds a community policing program, while UN organizations do important cross-cutting work on human rights and gender inclusion.

International actors, too, face numerous obstacles in their work – from the locally unpopular demand for the disbandment of armed groups requested by and since the 2003 Roadmap, to differences between the involved countries' positions, and to the fact that all measures, logistics, and procurements require prior approval by Israel/COGAT, an often lengthy and frustrating process.

3.2.1 Training, Support and Advisory Missions

United States Security Coordinator (USSC)

The Office of the United States Security Coordinator for Israel and the Palestinian Authority (USSC), led U.S. Army Lieutenant General Micheal R. Fenzel, was established in March 2005 to coordinate with Israeli Security Forces and Palestinian Authority Security Forces (PASF), professionalize Palestinian armed groups following the Second Intifada (2000-2005) and set security conditions to support a two-state solution. It is a joint, multinational, and interagency security coalition composed of ten member nations headquartered in Jerusalem. Since inception, USSC has focused on supporting an effective, sustainable, and accountable PASF capable of providing security to the Palestinian people while respecting human rights and contributing to improved regional security. USSC coordinates with the Government of Israel and the Palestinian Authority (PA) to enhance security cooperation, lead international efforts advising the PA on security sector reform, directly address existential security issues, and to set security conditions for the resumption of political talks.



66 https://www.dcaf.ch/sites/default/files/imce/MENA/Country_Strategy_Palestine.pdf.

67 Nofal, Aziza (2021), "Palestinian women journalists speak out against 'deliberate' attacks by PA forces," *Middle East Eye*, 2 July 2021, <https://www.middleeasteye.net/news/palestine-women-journalists-speak-up-pa-attacks>; Annual report of the UNHCHR and reports of the OHCHR and the Secretary-General - Human rights situation in Palestine and other occupied Arab territories, Agenda items 2 and 7, 18 February 2022 (A/HRC/49/83), paras 39-40.

68 WCLAC (2021), *Annual Report 2021*; https://www.wclac.org/files/annual_reports/2021/v3a53w3b8tqaqi0get8wn2.pdf.

69 ICHR, *Shadow Report on the initial report submitted by the State of Palestine on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984*, July 2022.

70 Hawari, Yara, "Community Accountability in Palestine: An Alternative to Policing," *Al-Shabaka Policy Brief*, 28 November 2021, <https://al-shabaka.org/briefs/community-accountability-in-palestine-an-alternative-to-policing/>.

The first USS Coordinator was Lt. Gen. Keith W. Dayton (2005-2010) whose mission was to reorganize the PASF in line with the US-initiated Middle East Roadmap for Peace and to launch the USSC's training program and security sector reform (SSR) efforts. US funding mainly went to training for security and counterterrorism operations, in addition to the construction of barracks and training centers (first of which was the Presidential Guard College in Jericho in 2009), as well as provision of non-lethal equipment (vehicles, office equipment, riot gear, uniforms, etc.) – but no weapons and munition. While the technical professionalization of the PASF remained a priority, the USSC has been increasingly committed to improving the Palestinian criminal justice system since 2012.

US-trained PASF have conducted numerous effective operations that cleared areas of gangs and illegal weapons and restored law and order. While this was welcomed by the public, the PASF's involvement in restricting civil liberties (e.g., suppressing demonstrations) and cracking down on dissents, as well as their security cooperation with Israel has drawn much criticism and undermined their legitimacy (see 5.2 for more on this). Despite its undeniable successes, the USSC's efforts are seen by many as aimed at enabling Israel to live in peace and security and strengthening Fatah to ensure that the PA retains control of the West Bank against Hamas.⁷¹

The USSC has also been criticized for not adequately responding to PASF misconduct, human rights violations, and recruitment based on political affiliations, making it difficult for non-Fatah candidates and thus creating a force that is not representative of society as a whole.⁷² Criticism has also come from Israel, albeit to a much lesser extent, which fears that the USSC-trained PASF may one day pose a threat to its state.⁷³

CIA

The CIA has been involved with the PASF since 1994 (and with the Palestinians since the 1970s⁷⁴) as have intelligence agencies of several other Western states albeit on a much smaller scale.⁷⁵ When the USSC and EUPOL COPPS were formed in 2005/6, they deliberately left out from their scope of intervention the intelligence agencies that nonetheless received “off-the-books support”⁷⁶ and were more or less covertly handled by the CIA. Over the years, the CIA, which does not share or coordinate all of its relations and activity with the USSC,⁷⁷ has been accused of turning a blind eye to the use of torture, which has been widely documented by human rights groups. Some observers contended that the CIA actually supervises the work of the Preventive Security and General Intelligence.⁷⁸ The CIA's ongoing role was evident when it maintained cooperation with the PA intelligence even after all other communications between the Trump administration and PA had broken,⁷⁹ and with CIA director William Burns' involvement in talks on stability in the West Bank, most recently also in the wake of Israel's war on Hamas in Gaza.



Operation PROTEUS (Canadian Armed Forces (CAF))

Op PROTEUS is Canada's Whole of Government contribution to advance Palestinian security sector reform and capacity building initiatives. Comprised of elements from the Canadian Armed Forces, Royal Canadian Mounted Police, Canadian Regional Police Forces, the Department of Justice and Border Services, Op PROTEUS partners with the PASF to advance and professionalize logistics, training, communication systems, human resource and force structure reform with the aim of establishing the security conditions that will allow for the advancement of a two-state solution.



71 E.g., Engler, Yves, “Canada's tax dollars aid Israel's divide and rule tactics,” *The Electronic Intifada*, 14 December 2012. Also, a 2018 report stated that US aid “aimed at countering militants from organizations such as Hamas and Palestinian Islamic Jihad, and at improving rule of law in areas that the PA controls” as well as “to encourage greater PA security coordination with Israel.” See Zanotti, Jim, *U.S. Foreign Aid to the Palestinians*, Congressional Research Service, Updated 12 December 2018.

72 International Crisis Group, “Squaring the Circle: Palestinian Security Reform under Occupation,” *op. cit.*

73 See, for example, Bedein, David and Arlene Kushner, “Is the US training Israel's enemies?”, *Jerusalem Post*, 25 August 2010.

74 See, for example, Lia, Brynjar, *Building Arafat's Police*, London: Ithaca Press, 2007, 9. 288.

75 Sayigh, Y., *Policing the People, Building the State – Authoritarian Transformation in the West Bank and Gaza*, Carnegie Endowment for International Peace, 2011, https://carnegieendowment.org/files/gaza_west_bank_security.pdf.

76 *Ibid.*

77 *Ibid.*

78 Cobain, Ian, “CIA working with Palestinian security agents,” *The Guardian*, 17 December 2009.

79 See, for example, Barak Ravid, “CIA director to visit Israel, Palestinian Authority,” *Axios*, August 9, 2021.

British Support Team (UK)

Since 2012, the military personnel of the UK's Ministry of Defence's British Support Team (BST) are contributing to improving the MoI's oversight and accountability, including administrative, financial, and human resources reforms, and setting up an effective security sector complaint handling system. The UK also co-chairs the SSWG and supports a platform of civil society organizations (CSOs) to hold the security sector accountable, including with respect to human rights and budget scrutiny.⁸⁰



EUPOL COPPS (EU Coordinating Office for Palestinian Police Support)

The EU police mission in the Palestinian Territories (EUPOL COPPS) was established on 14 November 2005 as part of the EU External Action under the European Security and Defense Policy⁸¹ with a long-term reform focus. Initially aimed at police development and advisory, a rule of law section was added in 2008 to work on a "healthy criminal justice system made up of strong institutions which guarantee the independence of the judiciary."⁸² The Ramallah-based mission began operations in January 2006 and has been renewed annually. Currently, the mission's Acting Head is Karin Limdal (Sweden), and all 27 EU member states, as well as Canada, Norway and Turkey contribute to it. As of 2023, the mission has 71 international and 35 national staff and a budget of € 11,360 million (July 2023-June 2024).⁸³



Operationally, EUPOL COPPS focuses on capacity building in two areas: police reform (Civil Police, MoI) and rule of law (Justice Ministry, High Judicial Council, Attorney General's Office, Palestinian Bar Association). While even critics admit that EUPOL COPPS efforts have resulted in skilled and professional police apparatus,⁸⁴ it is also not free of criticism. Some question the ability of external action to address internal governance problems, some contend that a mission that denies the political reality of continued occupation and lack of democracy ultimately contributes to "the professionalization of authoritarian policing" under that occupation and call for "stronger engagement with the ultimate beneficiaries."⁸⁵ Others argue that the discrepancies between the EU's peacebuilding rhetoric and its *de facto* security reform activities on the ground have severely undermined the mission's potential "by providing a service without reforming the Palestinian ministry institutions, and establish[ing] structures that are unsustainable."⁸⁶

Office of the Quartet (OQ)⁸⁷

In partnership with the USSC, the Quartet (the UN, the EU, the US and Russia) is engaged in the rule of law field to, *inter alia*, "strengthen the security sector, including through improved access for the PA Security Forces (PASF) across the West Bank", with a "focus on ensuring effective law enforcement" in underserved areas.⁸⁸ It has designed and built a digital system for security coordination to ease communication, reduce response times, and thus improve service delivery. In addition, it has helped in forming the PASF National Joint Command and Control (JOC) system and works on strengthening the justice sector.



80 UK - Foreign, Commonwealth and Development Office (FCDO), *Palestinian Security Sector Capability Accountability, Sustainability and Inclusion Programme in the Occupied Palestinian Territories – Business Case & Summary 300611*, May 2019, available at: <https://devtracker.fcdo.gov.uk/projects/GB-GOV-I-300611/documents>.

81 Council Joint Action 2005/797/CFSP; https://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/palestinian_territories_oj_/palestinian_territories_oj_en.pdf.

82 <https://eupolcopps.eu/page/law-section/en>.

83 <https://eupolcopps.eu/page/facts/en>.

84 E.g., Ejodus, Filip and Alaa Tartir, "Policing Palestine," *Sada Middle East Analysis* (Carnegie Endowment for International Peace), 15 August 2017, <http://carnegieendowment.org/sada/72821>.

85 Tartir, Alaa and Filip Ejodus, "Effective? Locally owned? Beyond the technocratic perspective on the European Union Police Mission for the Palestinian Territories," *Contemporary Security Policy*, Vol. 39, 2018 - Issue 1: 142-165.

86 Kristoff, Madeline, "Policing in Palestine: Analyzing the EU Police Reform Mission in the West Bank," *SSR Issue Paper No. 7*, February 2012, p. 14, https://www.cigionline.org/sites/default/files/ssr_issue_no7.pdf; see also Müller, P. and Y. Zahda, "Local perceptions of the EU's role in peacebuilding: The case of security sector reform in Palestine," *Contemporary Security Policy*, Vol. 39, 2018 - Issue 1: 119-141.

87 Established in 2002 to help mediate peace negotiations and support Palestinian economic development and institution building; <https://www.quartetoffice.org/>.

88 Office of the Quartet, *Strategy 2021-2023*.

UN Organizations

UNDP, UN WOMEN and UNICEF work jointly on the SAWASYA project aimed at advancing the rule of law, integrity, gender justice and human rights in Palestine through strengthening institutions, providing effective and accountable services, improving access, and addressing gender justice gaps and discrimination against women.⁸⁹ UN WOMEN is also engaged with gender equality activities and career opportunities for women in the police. The UNOHCHR monitors, documents and reports on human rights violations perpetrated by all duty bearers to ensure accountability. UNOPS works to improve the rule of law, justice and human rights. It has supported the MoI in operational management and civilian outreach capacity to ensure efficient and effective governance within the security sector.⁹⁰



GIZ – Deutsche Gesellschaft für internationale Zusammenarbeit

Commissioned by the German Federal Foreign Office, the GIZ has been working since 2010 with the MoI and the Civil Police to strengthen police structures by building and equipping efficient police stations and improving community policing through mobile police stations to increase police presence, especially in marginalized and remote areas, where PA security control is restricted (mainly Area C). In addition, cooperation mechanisms between police and local communities have been established to build trust and strengthen civilian oversight, and a Leadership Development Program was launched at the Police College in Jericho. Since April 2021, the activities of the ‘German Palestinian Partnership Programme’ (GPPP) focus on professional citizen-oriented-police services through capacity building in leadership, HR management, investigation skills (forensic, crime scene work) and strengthening German-Palestinian police cooperation.⁹¹



DCAF

DCAF has supported institutional development and reforms in the PA’s security and justice sectors since 2005, enhancing their transparency, accountability, and service orientation to improve their public legitimacy and acceptance, and thus their effectiveness.⁹² It has created the Palestinian Security Sector Legislation database (<https://security-legislation.ps/>) and the Palestinian chapter of the security sector observatory Marsad (<https://www.marsad.ps/en/>). Through its International Security Sector Advisory Team (ISSAT), DCAF supports UNDP in improving their strategic monitoring capability in the field of rule of law, and has conducted an evaluation of the Sawasya II Rule of Law project. It has an office in Ramallah.



Training of the Palestinian Security Forces

Until early 2019, PASF were trained by officers from the Jordan International Police Training Center near Amman, assisted by contracted US companies such as DynCorp. Since then, most training is conducted by internal PASF trainers at the General Military Training Commission in Jericho.⁹³ To date, the USSC has facilitated the training of thousands of PASF members and invested tens of millions in infrastructure (training facilities, barracks, operational centers, etc.).⁹⁴

⁸⁹ See <https://www.ps.undp.org/content/papp/en/home/projects/sawasyaii.html>.

⁹⁰ See <https://www.unops.org/palestine-state-of>.

⁹¹ See <https://www.giz.de/de/downloads/giz2023-en-german-palestinian-police-partnership.pdf>.

⁹² See <https://www.dcaf.ch/palestine>.

⁹³ See their website at <https://www.gmtc.sec.ps/>.

⁹⁴ According to Canadian Armed Forces - Operation PROTEUS staff, in Jordan alone, over 22,000 PASF members were trained by USSC or its partners between 2007-2019.

There are the following main security training facilities, all located in Jericho:

The **General Military Training Commission for the Security Forces (GMTC)** is the main training authority responsible of the basic standardized military training for all PASF members.⁹⁵ It conducts the training at its executive body, the **Central Training Institute (CTI)**, which opened in 2009, mainly funded by the US, initially for the elite Presidential Guard.

The **Palestine College for Police Sciences (PCP)** was established in 1994 in Jericho as a police teaching and training facility. Per Police Act (23) of 2017 it became an academic institution.⁹⁶ It offers basic police training as well as leadership and specialized qualification programs, conducted by French and Italian police, EUPOLCOPPS and the GIZ, which also supported the College's Police Leadership Development Institute.

Al-Istiqlal University was founded in 1998 as the Palestinian Academy for Security Sciences. It received full university status in 2011 "to provide high-quality education in specializations related to security sciences (...) to prepare professionally qualified officers and leaders."⁹⁷ Any high school graduate with a GPA of 65% can apply for its diploma and BA programs (in Psychology; Security Sciences; Tourism and Antiquities Security; English-Hebrew Language; Public Administration; Military Sciences; Information Systems; International Relations and Diplomacy; Criminology; Police Sciences and Law; Criminal Sciences). There is also an MA program in Public Administration.

3.2.2 Third Party Monitoring Missions

To date, there have been two third-party monitoring missions in Palestine: The **Temporary International Presence in Hebron (TIPH)**, a civilian multi-national observer mission that operated from 1994 to 2019 to monitor the situation in Hebron and document breaches of international humanitarian law, human rights, and the Hebron agreement. TIPH promoted a feeling of security to the city's Palestinians, but was unilaterally terminated by Israel in January 2019.



In November 2005, the **European Union Border Assistance Mission (EUBAM)** was launched under the EU's Common Security and Defence Policy to provide a third-party presence at the Rafah Crossing Point between Egypt and Gaza following Israel's disengagement from Gaza and the PA-Israel Agreement on Movement and Access. EUBAM works to build Palestinian capacity, improve cross-border cooperation between the different border agencies, monitor operations at the border, and liaise between the Palestinian, Israeli, and Egyptian authorities. It is currently headed by Bulgarian diplomat Nataliya Apostolova.⁹⁸



4. LEGAL ASPECTS

Several laws, including the PA's Basic Law, and executive decrees are in place to regulate the security sector and provide for an independent judiciary, but in practice they operate largely without accountability. Legislation came to a halt with the 2007 Hamas takeover of Gaza, since when the PLC, which is responsible for the follow-up of oversight reports and subsequent accountability, has become defunct. The void was partially filled with presidential decrees, but this has raised serious questions of legitimacy and legality, especially since President Abbas's term is long expired. The PA judicial system is subject to pressure from the security agencies and the Executive, resulting in the non-implementation of court orders,⁹⁹ and the absence of parliamentary oversight has not only severely weakened control over its performance for 17 years now, but also made it difficult for CSOs to perform a scrutiny function.

⁹⁵ See <https://www.gmtc.sec.ps/>.

⁹⁶ See https://www.facebook.com/palpolice2000?locale=es_LA and <http://www.interpa.org/Upload/editor/files/English.pdf>.

⁹⁷ See <https://alistiqlal.edu.ps/page-3288-ar.html>.

⁹⁸ <https://www.eubam-rafah.eu/>.

⁹⁹ US Department of State, *2020 Country Reports on Human Rights Practices: Israel, West Bank and Gaza*, op. cit.

The Legal Framework of the Palestine Security Forces

- **Palestinian Basic Law (2005 amendment to 2003 Basic Law):** Sets forth the general rules for the security sector management.
 - President of the PA holds the position of the Commander-in-Chief of the Palestinian security forces (Art. 39) and is vested with the power of declaring the state of emergency in case national security is under threat (Art. 110).
 - The Council of Ministers is responsible for maintaining public order and internal security (Art. 69.7).
 - Security forces and police are defined as “regular forces. They are the armed forces in the country. Their functions are limited to defending the country, serving the people, protecting society and maintaining public order, security and public morals. They shall perform their duties within the limits prescribed by law, with complete respect for rights and freedoms.” (Art. 84)
- **Law on Civil Defense No. 3 of 1998:** regulates the competences of the Civil Defense, which is answerable to the MoI.
- **Presidential Decree No. 12 of 2002:** promulgated that “The Police Forces, the Preventive Security, and the Civil Defense, including all of their agencies and departments, shall be attached to the Ministry of the Interior” (Art. 1).
- **Law on General Intelligence No. 17 of 2005:** sets forth the competences of General Intelligence, which is accountable to the PLC.
- **Law on the Service in the Palestinian Security Forces No. 8 of 2005:** regulates the management and operations of the security agencies which are categorized in three main forces: (1) the National Security Forces (NSF) and the Palestine National Liberation Army, (2) Internal Security Forces, and (3) General Intelligence (Art. 3). It states that the NSF are a regular military body under the leadership of the Minister of National Security and the command of the Commander-in-Chief (Art. 7), the Internal Security Forces are a regular security body under the leadership of the MoI and the command of the Director-General of Internal Security (10), and the General Intelligence is an independent regular security body affiliated with the President and under the leadership of its Head (Art. 13). The law further lists acts that officers are prohibited from, including, *inter alia*, expressing political opinions, working in politics or affiliating with political parties, entities, associations or organizations (Art. 90 and 169).
- **Law by Decree No. 11 of 2007 on the Preventive Security:** defines Preventive Security as part of the Internal Security Forces, thus answerable to the MoI, and sets forth its competences.
- **Law by Decree No. 2 of 2016 on Customs Police:** Establishes the Customs Police, which is accountable to the MoI and the Ministry of Finance, and regulates its competences.
- **Law by Decree No. 23 of 2017 Concerning the Police:** affiliates the police forces with the MoI and regulates their affairs, work, powers and competences, holding members accountable before regular judiciary.
- **Law by Decree No. 2 of 2018 Concerning the Security Forces Justice Commission** lays down the independence of military judges and regulates the work and tasks of military courts and judges.

While the 2003 Roadmap separated the Office of the Prime Minister from that of the President and consolidated the security agencies into three services under the MoI, the PASF's status and structure remained *de facto* unchanged, undermining to this day the push to institutionalize security under the MoI.¹⁰⁰ Even the 2005 Law of Service in the Palestinian Security Forces, as the key legal reference, is essentially only a technical text that creates many discrepancies between its stipulations and the reality on the ground. In practice, there is only one Minister of Interior and National Security and not two separate bodies, and the President functions as both Commander-in-Chief of the NSF and supervisor of the General Intelligence. In addition, in violation of the Basic Law (Art. 69), the President continues to appoint security officials, although the Council of Ministers should be in charge of this, so that the vast majority of the personnel belong to his ruling party.

This lack of a clear legal framework and of the MoI's ability to exercise oversight of the PASF remain high on the list of SSR deficiencies and have resulted in a considerable decline in trust among the public. As a result, people increasingly resort to settling disputes outside state courts, undermining the rule of law.¹⁰¹ This was one of the considerations that led the PA military training authority to adopt a curriculum for integrity and transparency training in the security sector.¹⁰²

Reports by the State Administrative Audit and Control Bureau (SAACB) serve as financial, administrative and performance control, but they do not cover all security agencies and there is a reported weak response to its recommendations.¹⁰³

Furthermore, to strengthen his hold on the judiciary, President Abbas issued a presidential decree in October 2022, establishing a Supreme Council for Judicial Bodies and Agencies, which was criticized for violating the separation of powers, the Palestinian Basic Law and international conventions that the PA has signed.¹⁰⁴

Some CSOs address the lack of control and try to exercise some kind of judicial oversight. The Coalition for Accountability and Integrity – AMAN, which is the Transparency International chapter for Palestine, regularly reports on the conduct of the security agencies. Together with other CSOs, it also initiated the 'Civil Forum for Enhancing Good Governance in the Security Sector' (CFGGS).¹⁰⁵

The Palestinian Independent Commission for Human Rights (ICHR) monitors and documents rights violations and handles complaints. In 2022, 66% of the complaints it received were security-related, including cases of assaults, physical torture or threats, degrading treatment, arbitrary detention, house searches without legal warrants, disrespect for the rights of detained persons, failure to enforce court orders, and violations against the freedom of opinion and expression and of peaceful assembly.¹⁰⁶ Chapter 5.2 below describes the work of AMAN and ICHR in detail.

Distribution of Complaints to the ICHR, 2022



Source: ICHR (2023), *The Status of Human Rights in Palestine, 28th Annual Report, 2022*.

¹⁰⁰ See, for example, Zilber, Neri and Ghaith Al-Omari, *State with No Army, Army with No State - Evolution of the Palestinian Authority Security Forces, 1994-2018*, Washington Institute for Near East Policy, Policy Focus 154, March 2018.

¹⁰¹ "'Tribal justice' in Palestine outflanks official legal system", *Aljazeera*, 25 January 2021, <https://www.aljazeera.com/news/2021/1/25/palestinian-tribal-law-puts-stability-over-justice-rights-groups>.

¹⁰² "Focusing on 'Integrity in the Palestinian security sector 2020', the Civil Society Forum to Promote Good Governance in the Palestinian Security Sector held its third annual conference with participant of the Ministry of Interior," February 2021, <https://www.aman-palestine.org/en/activities/14677.html>.

¹⁰³ AMAN & CFGGS (2022), *Palestinian Security Sector and Political Integrity*, Report No. 211, March 2022, <https://www.aman-palestine.org/en/reports-and-studies/18383.html>.

¹⁰⁴ Headed by Abbas himself and consisting of the heads of the Constitutional, Supreme, Cassation, security forces' courts and Shari'a courts, the justice minister, public prosecutor, and president's legal adviser. "Managing Palestine's Looming Leadership Transition", Crisis Group Middle East Report N°238, 1 February 2023, https://www.crisisgroup.org/sites/default/files/2023-01/238-palestines-looming-leadership-transition_0.pdf, p. 26.

¹⁰⁵ For details and publications of the Forum see: <https://www.aman-palestine.org/en/about-aman/84.html>.

¹⁰⁶ ICHR (2023), *The Status of Human Rights in Palestine, 28th Annual Report 2022*.

5. EXPERIENCES AND CHALLENGES

5.1 Security Cooperation with Israel

One of the USSC's core functions is to deepen the cooperation between Israeli and the PASF to prevent acts of "terror" from Palestinian resistance groups thereby stabilizing the security situation in the West Bank and reducing the need for Israeli military interventions. "Cooperation" means intelligence sharing, coordination and communication during IDF activity in the West Bank, and counterterrorism training, i.e., activities that take action against militants and aim at ensuring Israel's security.

While in the PA's view, security coordination with Israel helps maintain its and Fatah's control vis-à-vis Hamas, many believe it "criminalizes Palestinian resistance, professionalizes Palestinian authoritarianism, and denies the safety of the Palestinian people, while adding further layers of repression to an already highly-oppressive context."¹⁰⁷ Israeli security officials, on the other hand, see the PA as "part of Israel's security architecture" that takes work off their hands: "The more they can do, the less we have to do".¹⁰⁸ Thus, the PA is seen "as an enabler, if not an active defender, of the Israeli occupation through its security cooperation."¹⁰⁹

The Palestinians' deep discontent with this situation is reflected in polls showing overwhelming support for the PA's repeated threats to end the security coordination with Israel, although most people also doubt that such a decision will ever be implemented.¹¹⁰ This has proven to be true, when in February 2023, the PA reportedly accepted the US's "Fenzel Plan" to train thousands of PASF members in Jordan to combat resistance groups, regain security control in *the northern West Bank*, and strengthen security ties with Israel, which was agreed upon by Jordan, the US, Egypt, and Israel at the security summit in Aqaba.¹¹¹ Even during Israel's 2023-24 war in Gaza following the 7th October Hamas attack, security cooperation remained in place, albeit low-profile, with PASF in the West Bank even arresting Hamas and Islamic Jihad operatives and quelling attempts to instigate violence.¹¹²

There are three main reasons why the PA maintains security cooperation despite the accusations of "betrayal": (1) it serves to maintain the power of the ruling elite, (2) the security sector is one of the largest public employers, and (3) it is fundamentally a political bargaining chip to exert pressure on Israel (thus the repeated threats to terminate it). However, warnings are getting louder that "security coordination has become so routinized that it is easy to forget that in the Israeli-Palestinian conflict, routine can very quickly and violently be interrupted."¹¹³ This is precisely why the USSC's coordination role remains so critical despite its flaws.

5.2 Relationship with Civil Society

The nature of civil-security relations is an important factor in determining whether reform efforts and the rule of law can be successful or whether they are hindered by the actions of the security forces. In Palestine, these relations are predominantly antagonistic. When the first Palestinian forces arrived in 1994 in Gaza, they were welcomed by the public as a symbol of their future independence, with hopes that they would bring safety

¹⁰⁷ Ala Tartir (2023), "The PA's Revolving Door: A Key Policy in Security Coordination," *Al-Shabaka Policy Memo*, 27 August 2023, <https://al-shabaka.org/memos/the-pas-revolving-door-a-key-policy-in-security-coordination/>.

¹⁰⁸ Quoted in "Managing Palestine's Looming Leadership Transition", Crisis Group Middle East Report N°238, *op. cit.*, p. 13, Footnote 62.

¹⁰⁹ Miller, A. D., "4 Inconvenient Realities of Israel's Jenin Operation," *Foreign Policy*, 7 July 2023, <https://foreignpolicy.com/2023/07/07/jenin-raid-operation-israel-success-terrorism-strategy-west-bank-palestinian-authority/>.

¹¹⁰ See, for example, PCPSR Poll, March 2023, Questions 49 and 50: Some 63% supported the ending of security coordination with Israel that the PA had announced in March 2023, but an overwhelming majority (79%) did not believe that the PA actually suspends its security coordination.

¹¹¹ *Axios.com*, February 1, 2023.

¹¹² "PA thwarting attacks against Israel army in West Bank: Israeli media," *The New Arab*, 31 December 2023, <https://www.newarab.com/news/pa-foiling-attacks-against-israel-army-west-bank-report>.

¹¹³ Efron, Shira and Ghaith Al-Omari (2022), "How Pentagon Bureaucracy Could Undermine West Bank Security," *The Washington Institute for Near East Policy*, June 16, 2022; <https://www.washingtoninstitute.org/pdf/view/17489/en>.

and order after decades of occupation-related insecurity. However, the PA's security apparatus soon became the subject of controversy and debate. Initial problems had to do with the lack of a culture of obeying rules and the notion of "exceptionalism", such as parking a car "just for a moment" in a no-parking area. Much more problematic, however, were the conditions set forth in the 2003 Roadmap, which required the PASF to combat terrorism, apprehend suspects, fight incitement, collect illegal weapons, provide Israel with a list of Palestinian police recruits, and report progress to the US – all of which made it appear as "externally-controlled" and "driven by the national security interests of Israel and the United States."¹¹⁴ Thus, the PA was increasingly seen as a "puppet" of Israel, focusing on cooperation with the occupier in Areas A and B¹¹⁵ and security to the Israelis only. Especially negatively perceived are the regular Israeli incursions and arrest raids in Area A, which are coordinated with the PASF, as well as the settler attacks on Palestinians and their property,¹¹⁶ in which the PASF cannot intervene, while the Israeli army usually remains idle and/or protects the settlers. A recent incident in which this became apparent occurred in the spring of 2023, when hundreds of settlers rampaged in Huwara near Nablus. Shortly afterwards, a survey asked why the PASF were unable to protect the residents of Huwara and other towns; 32% of the respondents said because the PA prefers to maintain security coordination with Israel over protecting its own people; 27% believed that PA forces are not interested in an armed confrontation with the Israeli army; 24% said because the PA has no jurisdiction over the settlers and cannot arrest them; and 11% thought the settlers' attacks occur during the night when the PA police is not present.¹¹⁷ In November 2023, a specific poll on settler violence revealed that 69% of the surveyed Palestinians were afraid of settler attacks, but a whopping 91% did not feel that the PASF protect them, and 81% said that PASF did not provide security during or after attacks took place, with many seeing armed Palestinian groups as much more effective in protecting people and properties from such attacks¹¹⁸ (although the majority of settler violence occurs in Area C, where the PA has no security control).

All of this adds to the PASF's image as a mere subcontractor or even "collaborator" in maintaining the military occupation and has increased criticism for its "continued complicity in the Israeli regime's settler colonial project."¹¹⁹ In addition, in internal matters the PASF is seen as mainly concerned with suppressing rivals and opponents, including journalists and human rights activists – widely tolerated and at times even in response to pressure by the international community and Israel to serve their interests.¹²⁰

Another prominent case that caused the reputation of the PASF to wane was the beating to death in June 2021 of PA critic Nizar Banat, by PASF members,¹²¹ which ignited widespread anti-PA protests that were also violently suppressed by the PASF, which acted especially against journalists covering the events. Asked whether they think the death of Nizar Banat was at the deliberate orders of the political or security leadership or an unintentional mistake, 63.1% of the respondents of a poll believed it was deliberate and 68.8% saw the measures taken by the PA to go after the perpetrators as not sufficient. Moreover, 73.5% saw the arrests of demonstrators by the PASF not as law enforcement but as 'violation of rights and liberties.'¹²²

114 Agha, Hussein and Ahmad Khalidi, *A Framework for a Palestinian National Security Doctrine*, London: RUSI/Chatham House, 2005.

115 The Oslo Accords divided the West Bank into three areas; in Area A (= urban centers, some 17.7%) the PA has sole jurisdiction and security control only, while Israel retains authority over movement into and out of it and uses this 'right' during incursions. In Area B (18.4%), the PA has civil authority and responsibility for public order, while Israel maintains 'overriding security responsibility', and in Area C (59.6%), Israel has full control. According to the Palestinian Prisoner's Society, over 4,500 of the 5,200 political prisoners in Israeli jails (as of September 2023) were West Bankers, see <https://www.ppsmo.ps>.

116 In 2023, OCHA documented over 1,142 settler attacks, which caused over 575 Palestinian casualties, record property damage and the displacement of over 1,442 people, OCHA Dashboard and *West Bank Snapshot*, Dec. 2023. Complaints filed against settlers are rarely investigated, see <https://www.yesh-din.org/en/category/settler-violence/>.

117 PCPSR Poll, March 2023, Question 64-3.

118 PCPSR Poll, November 2023.

119 Ala Tartir (2023), "The PA's Revolving Door: A Key Policy in Security Coordination," *op.cit.*

120 For example, El Kurd, Dana (2019), *Polarized and Demobilized: Legacies of Authoritarianism in Palestine*, London: Hurst & Co.

121 The PA opened an investigation into the incident and arrested 12 security officials, who were prosecuted before a military court - decisions are pending, <https://rsf.org/en/least-35-journalists-attacked-while-covering-west-bank-protests>. A March 2022 ICHR report blamed Banat's death directly on the security forces.

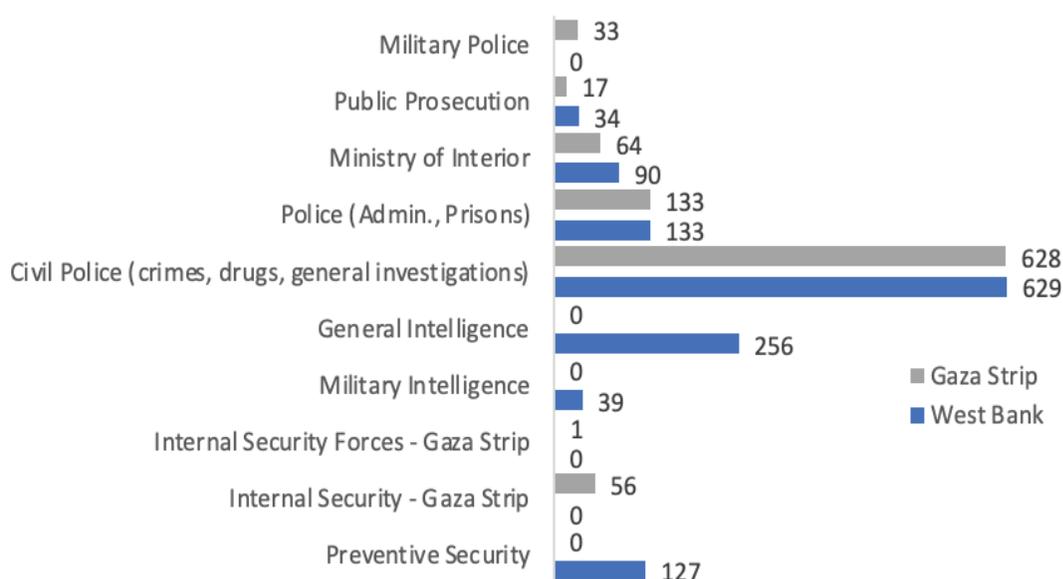
122 PCPSR Poll, September 2021.

Another common complaint is that in order to get certain public positions, permits, licenses (e.g., for establishing a charity or CSO; a public transportation driver’s license), or scholarships, citizens must to submit a “security clearance certificate”, which is issued by the security services – often based on the applicants’ political affiliation.¹²³ There are also reports of PASF members, including General Intelligence and Police, restricting the work of human rights groups and appointing “official liaisons” to work with them.¹²⁴

The above has massively undermined the legitimacy of the PASF, and especially since President Abbas called off elections in April 2021, the public’s perception of the PA and its security apparatus has reached a new low (while Hamas surged in popularity). The PA’s increasingly authoritarian behavior has raised fears of an emerging “police state” – despite the Code of Conduct and Ethics for PASF members¹²⁵ and the State of Palestine’s obligations under the international treaties it has ratified. Complaints about intimidation, criminalization of critics, arbitrary detentions, no or unfair trials, rights abuse and even torture have been on the rise in recent years¹²⁶ and have negatively affected both the public’s sense of safety and its trust in the PASF, which has clearly been reflected in polls and surveys over the years. In a 2021 JMCC survey in which respondents were asked which profession they trust the most, only 6.9% chose security.¹²⁷

The graphs below show complaints involving security personnel received by the ICHR against different agencies and on different rights abuses.

Number of Complaints Received by Authority, West Bank and Gaza Strip, 2022



Source: ICHR (2023), *The Status of Human Rights in Palestine, 28th Annual Report, 2022*, (Arabic).

¹²³ AMAN (2022), *The State of Integrity and Combating Corruption in Palestine 2022, 15th Annual Report*, Ramallah, <https://www.aman-palestine.org/en/reports-and-studies/20711.html>.

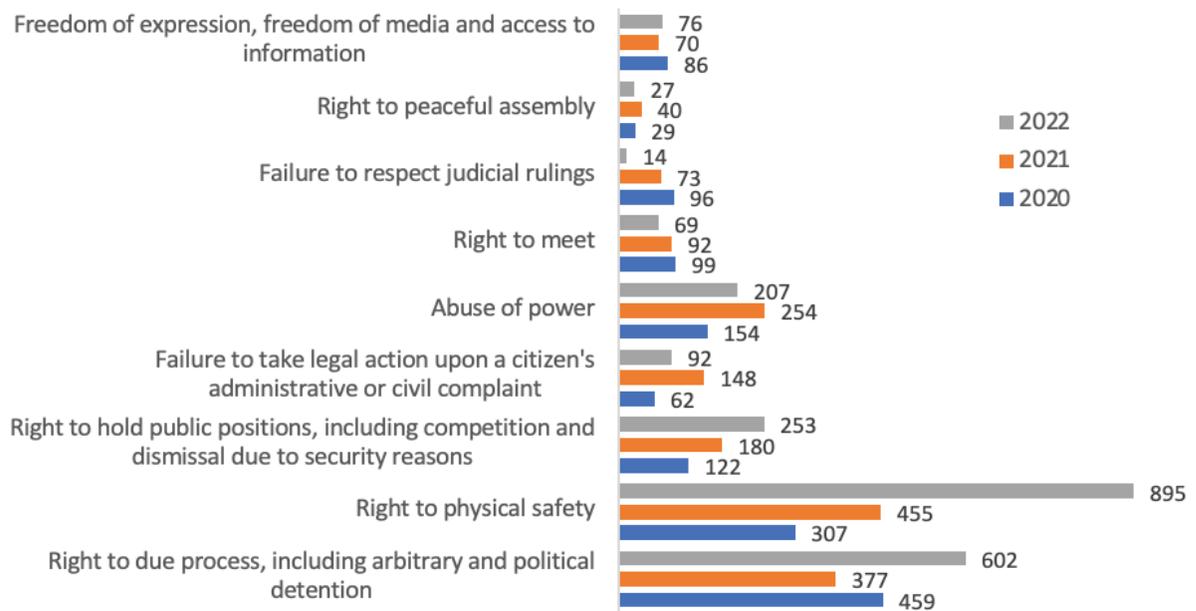
¹²⁴ https://www.state.gov/wp-content/uploads/2023/03/415610_WEST-BANK-AND-GAZA-2022-HUMAN-RIGHTS-REPORT.pdf.

¹²⁵ Full text available at: <https://www.undp.org/sites/g/files/zskgke326/files/migration/ps/UNDP-papp-research-PCPCodeenglish.pdf>

¹²⁶ See, e.g., the ICHR reports (<https://ichr.ps/>), OHCHR documentation on ill-treatment and torture A/HRC/49/83, paras 51-54; A/HRC/46/63 paras. 60-64; A/HRC/49/25, para. 31-32, Amnesty International, *Report - Palestine (State of), 2022-23*, <https://www.amnesty.org/en/location/middle-east-and-north-africa/palestine-state-of/report-palestine-state-of/>; <https://lawyers4justice.ps/>; and https://www.state.gov/wp-content/uploads/2023/03/415610_WEST-BANK-AND-GAZA-2022-HUMAN-RIGHTS-REPORT.pdf.

¹²⁷ On top of the list came school teachers (23.5%) and physicians (21%), at the bottom were politicians (2%) and ministers (0.4%); JMCC Poll No. 98 - Postponed Elections & Social Media, October 2021.

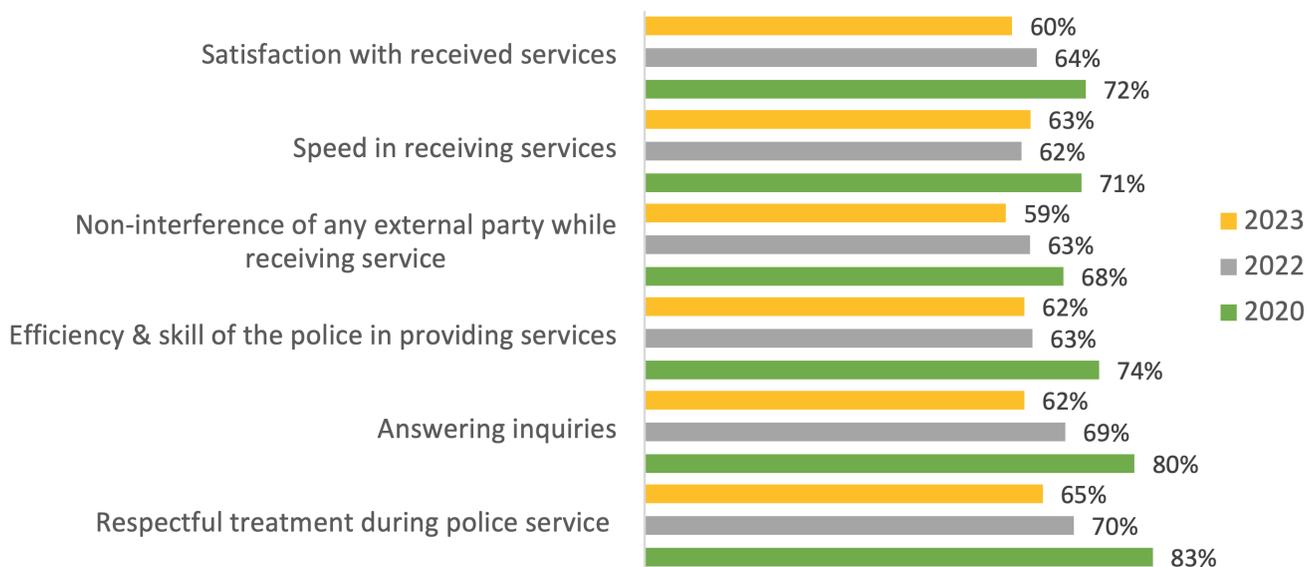
Number of Complaints by Kind of Violation, West Bank and Gaza Strip, 2020-22



Source: ICHR (2023), *The Status of Human Rights in Palestine, 28th Annual Report, 2022*, Ramallah: ICHR. (Arabic)

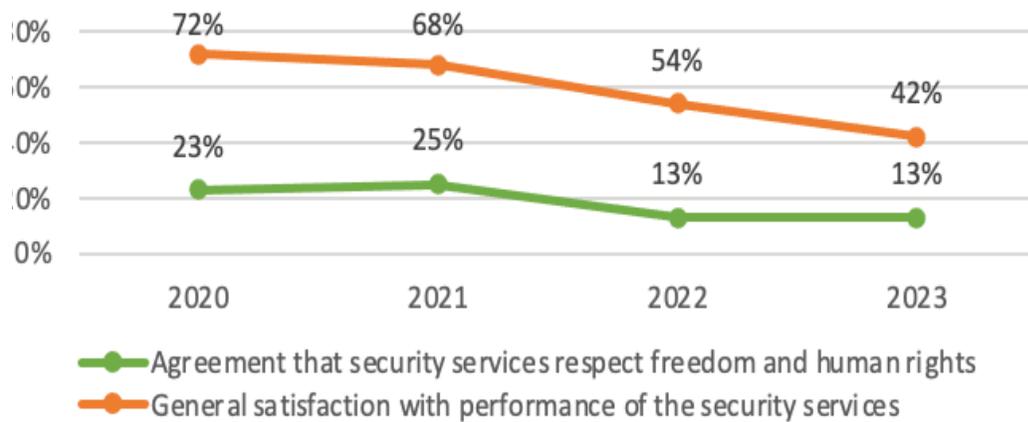
A 2023 poll showed that 59% of the respondents did not or not sufficiently feel safe and only 55% had confidence to some extent in the ability of the security services to achieve security for citizens (down from 68.1% in 2022). Also, the general satisfaction with the performance of the security services has declined over the years.¹²⁸

Satisfaction with Security Services Performance, 2020-2023



Source: AMAN & CFGGS (2023), *Poll on: The extent to which the Palestinian police force and its employees adhere to the values of integrity and principles of transparency at work in services provided in the West Bank for the year 2023*, Report Series No. 248, (Arabic), <https://www.aman-palestine.org/en/reports-and-studies/19712.html>.

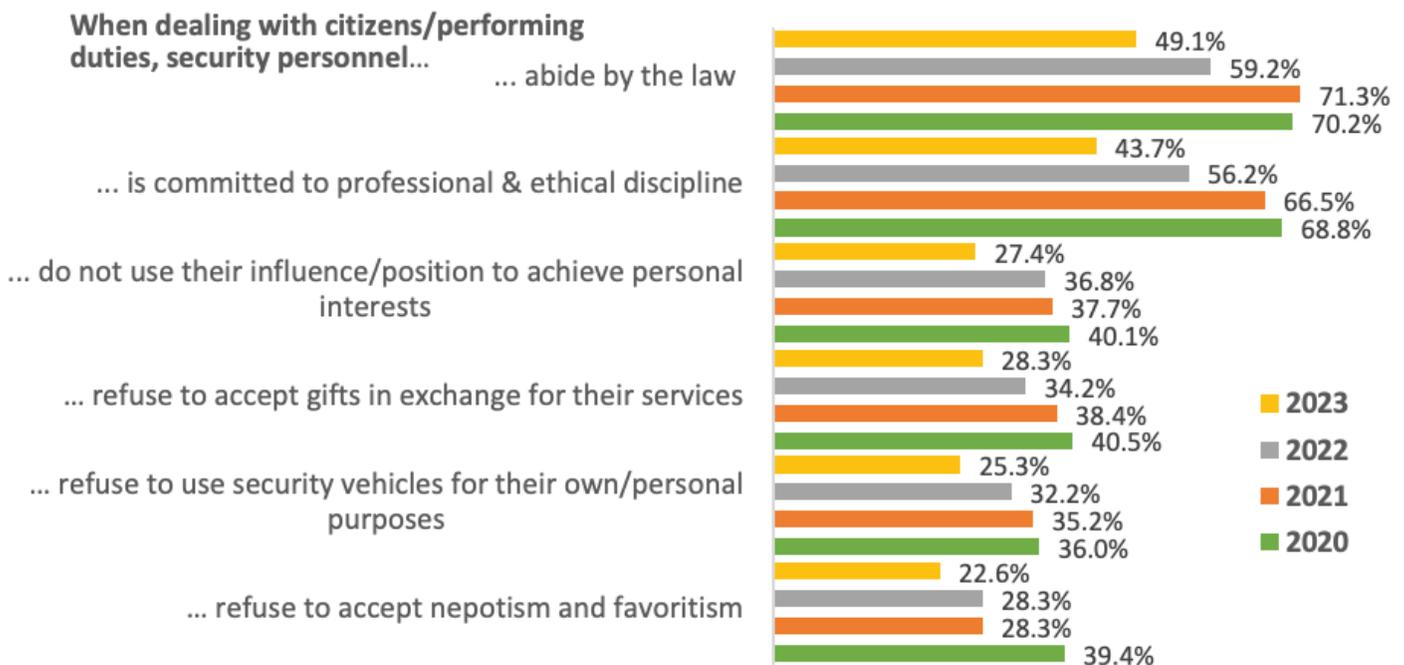
¹²⁸ AMAN & CFGGS (2023), *Poll about: The Extent of Citizens' Satisfaction with Security Sector Governance "West Bank"*, Report No. 246, Ramallah: February 2023; <https://www.aman-palestine.org/en/reports-and-studies/19706.html>.



Source: AMAN & CFGGS (2023), *Poll about: The Extent of Citizens’ Satisfaction with Security Sector Governance “West Bank”, Report No. 246.*

Furthermore, AMAN’S Integrity Index¹²⁹ revealed a large discrepancy between existing security legislation and practice and a decrease in all integrity, transparency, and accountability indicators as the following graphs illustrate.¹³⁰

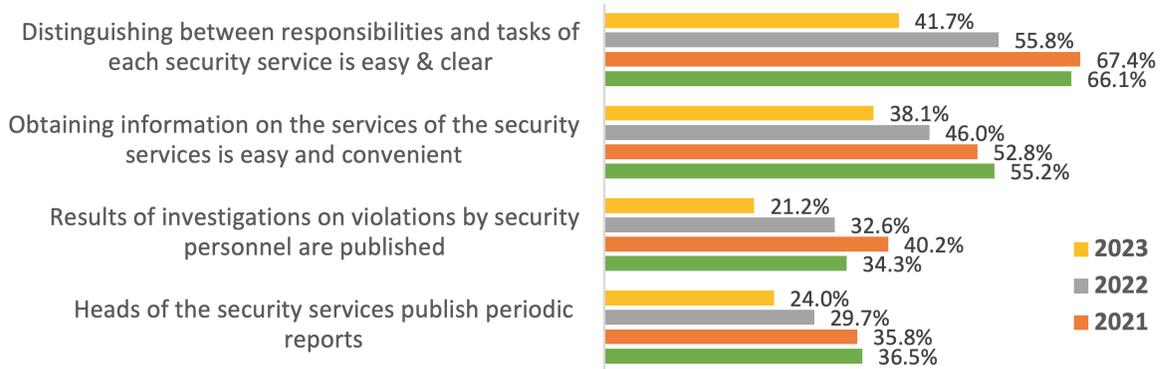
Agreement with Integrity Indicators, 2020-2023



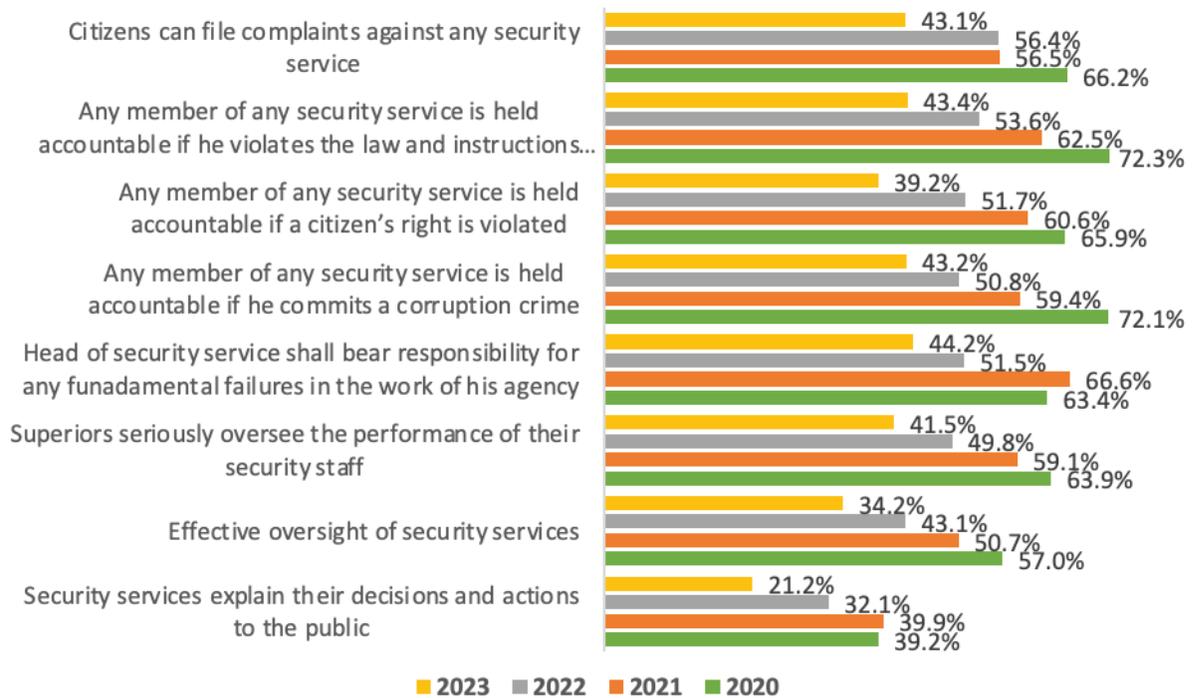
¹²⁹ The Index is a periodic description of the state of the security sector’s vulnerability to corruption. It consists of 80 indicators measuring the security sector’s immunity against corruption - divided into three categories: (1) legislation, policies, practices; (2) transparency, accountability and integrity values; and (3) political management.

¹³⁰ AMAN & CFGGS (2023), *Poll about: The Extent of Citizens’ Satisfaction with Security Sector Governance “West Bank”, op. cit.*

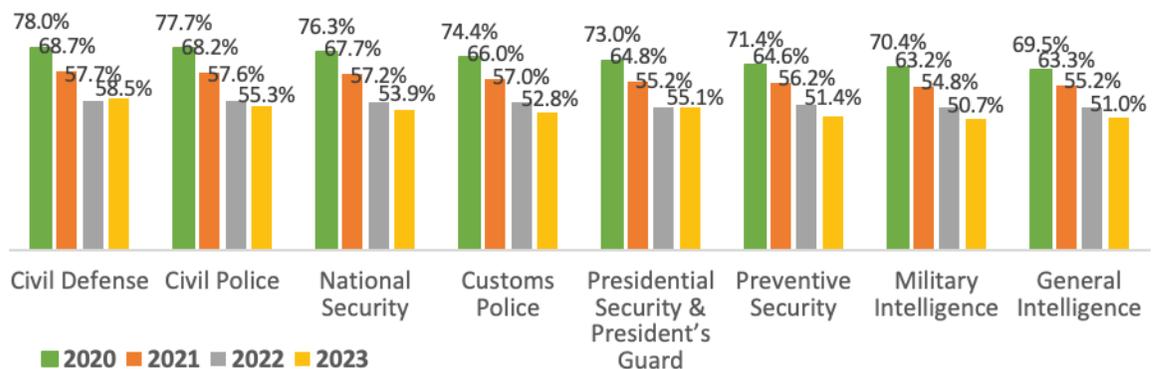
Agreement with Transparency Indicators 2020-2023



Agreement with Accountability Indicators, 2020-2023

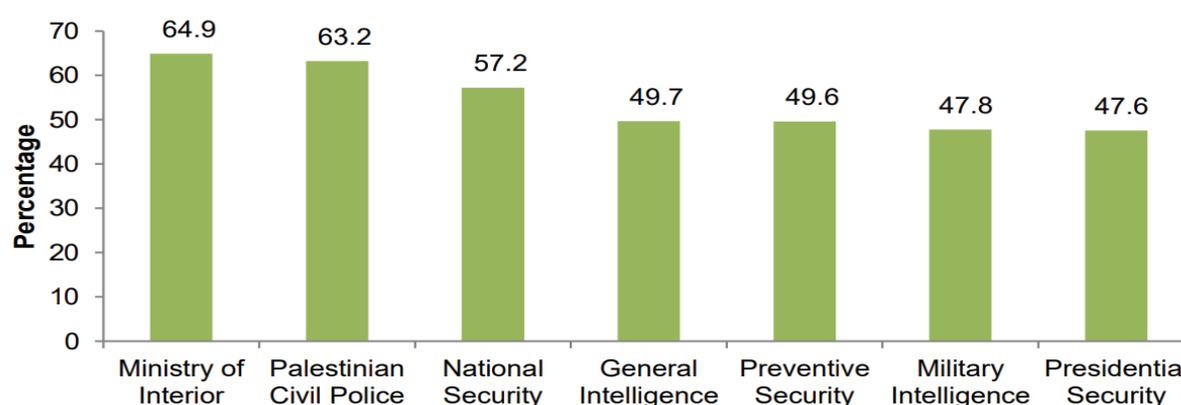


Accountability of Security Services by the Government



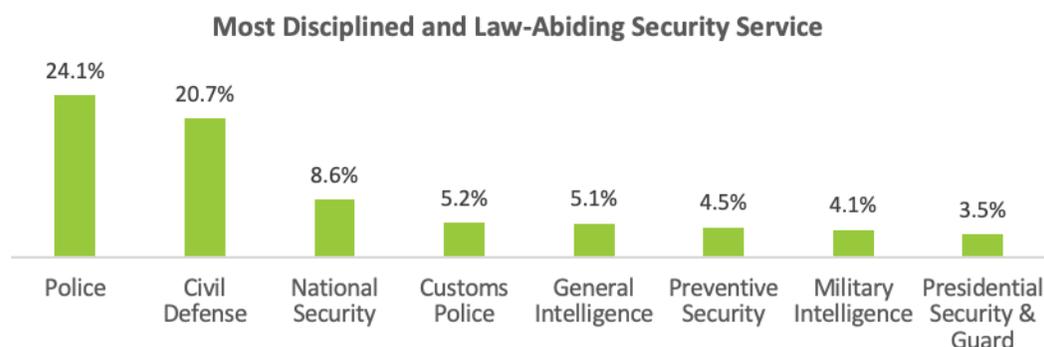
Adding to these negative perceptions is the fact that the PASF account for the largest item in the PA’s budget and the lack of transparency regarding spendings and procurements, which has fueled the allegations of corruption and *wasta* in recruitment and posts. Between 25-29% of respondents (depending on the security agency in question) believed that appointments in the security services are made through competition and equal opportunities.¹³¹ “In reality, appointments of the heads of security forces and high-ranking officers are made based on partisan affiliation... connection to the ruling party is a key criterium.”¹³² Moreover, while terms in office are limited by law to four or five years maximum, many personnel in senior positions remain in office for way longer periods.¹³³

The performance of the civil police in combating crime and maintaining public order is still rated most positively,¹³⁴ which is partly because police are better known to the public than others¹³⁵ and perform fewer sensitive tasks. A 2021 survey found that of people (18+ years) that dealt with security institutions, most were satisfied with the MoI and the Civil Police:



Source: PCBS, *Rule of Law and Access to Justice Survey, 2021 - Main Findings*, January 2022.

Similarly, a 2023 poll revealed that Police and Civil Defense are by far the security services considered to be the most disciplined and law-abiding:



Source: AMAN & CFGGS (2023), *Poll about: The Extent of Citizens’ Satisfaction with Security Sector Governance “West Bank”*, Report No. 246, Ramallah: February 2023.

¹³¹ *Ibid.*

¹³² AMAN & CFGGS (2022), *Palestinian Security Sector and Political Integrity*, *op. cit.*; “Managing Palestine’s Looming Leadership Transition”, Crisis Group Middle East Report N°238, *op. cit.*

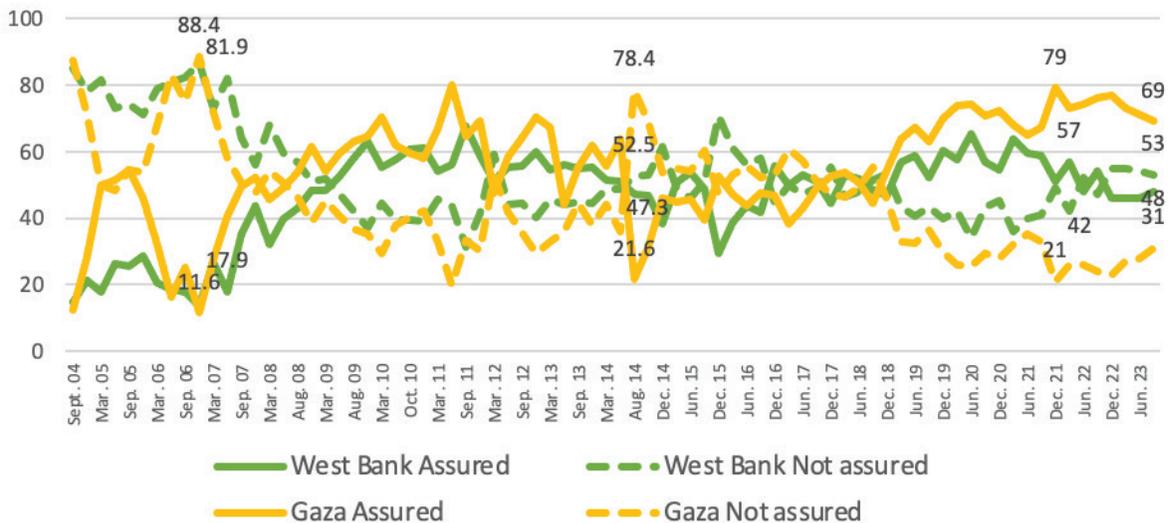
¹³³ With the head of General Intelligence serving since 13 instead of the max. 4 years and the head of Preventive Security 17 instead of 5 years, *Ibid.*, p. 19.

¹³⁴ In 2022, 34,391 criminal offenses were reported in the West Bank, PCBS, *Statistical Yearbook of Palestine 2023*, December 2023.

¹³⁵ A survey found that citizens’ knowledge of the different security agencies varied and the best known were Civil Defense and Police. AMAN (2023), *Poll about: The Extent of Citizens’ Satisfaction with Security Sector Governance “West Bank”*, *op. cit.*

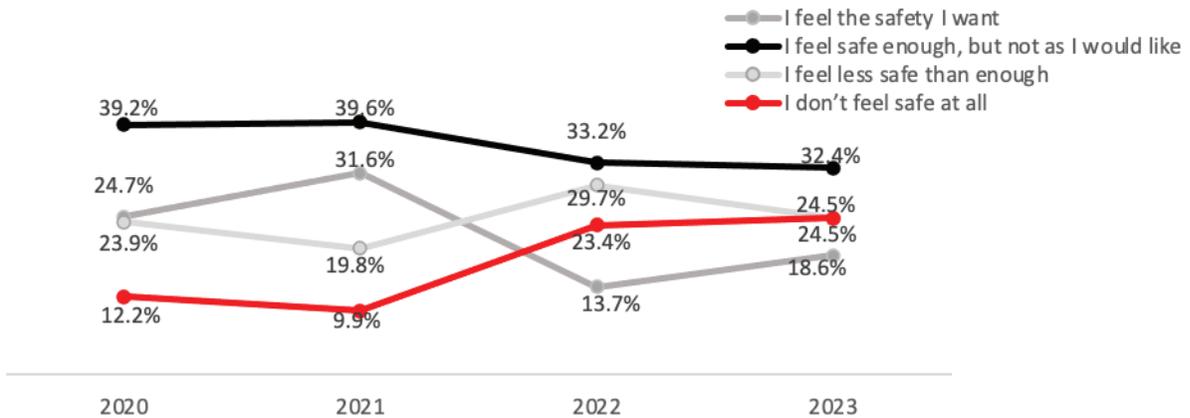
During the Coronavirus crisis 2020-2022, an average of around two-thirds of the surveyed were satisfied with the security services' handling of the pandemic.¹³⁶ However, as far as personal and family safety and security is concerned, the rating has seen ups and downs over time, as the following graph based on PCPSR polls since 2004 shows.¹³⁷ While no distinction was made between the various branches, it is safe to assume that the credit for 'safety is assured' goes mainly to the police, with whom most people interact most frequently.¹³⁸ Remarkable is the contrast in recent years, with people in Gaza feeling a significantly higher level of security compared to their West Bank counterparts.

Perception of Personal and Family Security and Safety, 2004-2023 (%)



Source: PCPSR Polls, September 2004-September 2023.

Citizens' Feeling of Safety and Security due to the Presence of Security Services



Source: AMAN & CFGGS (2023), *Poll about: The Extent of Citizens' Satisfaction with Security Sector Governance "West Bank"*, Report No. 246.

¹³⁶ PCPSR Polls, June 2020-September 2022.

¹³⁷ The corresponding question in the polls was: "Would you say that these days your security and safety and that of your family is assured or not assured?" For the graph, we combined the answers for "completely assured" and "assured" as well as those for "not assured" and "not at all assured".

¹³⁸ According to the 2021 PCBS Rule of Law and Access to Justice Survey, 6.1% of individuals 18+ years had dealt with the police during the past year, but only 0.1% with the security forces; <https://www.pcbs.gov.ps/Downloads/book2598.pdf>. It should be noted that refugees in the West Bank's camps have limited access to justice and do not benefit from effective policing, which has led to the emergence of local groups, often criminal in nature. Protection Cluster OPT, *Protection Analysis Update - Occupied Palestinian Territory (oPt): West Bank*, August 2022, www.globalprotectioncluster.org/sites/default/files/2022-08/opt_protection_analysis_update_westbank_aug2022.pdf.

Another recent poll confirmed this trend with 51% of the respondents feeling that the performance in providing security had deteriorated over the past two years (36% thought it had improved and 11% felt it remained the same) and 56% feeling that law enforcement by the PASF had worsened over the past four years (28% thought it stayed the same and only 14% believed it had improved). Moreover, 51% of the total felt that police also do not protect them against aggressions from other Palestinians.¹³⁹

5.3 New and Other Armed Groups

In recent years, cuts in donor aid, corruption, authoritarian behavior, the vanished hope for an end to the occupation, and the image of serving the Israeli occupation have severely impaired the legitimacy of the PA. That the PA's demands for a halt to Israeli incursions and settlements were also ignored at the Aqaba and Sharm Al-Sheikh summits in spring 2023 only confirmed its weakness. This not only "crippled the PA's efforts to recruit and, train equip security forces and to co-opt its opposition," but also led young people to turn instead to the newly emerged armed resistance groups, such as the Jenin Brigades in Jenin refugee camp and the Lion's Den in Nablus, which "have become both vehicles and lightning rods for the pervasive anger among young Palestinians at the status quo."¹⁴⁰

One example for the public support these armed groups have gained was in early September 2023, when the PASF tried to remove barricades that prevented the Israeli army from entering Tulkarem refugee camp,¹⁴¹ resulting in a gunfight between PASF and the resistance. From the PASF's perspective they were only following orders to capture the Palestinian fighters and thus protect them from being killed by Israel, but for the fighters (and much of the public) that is a betrayal of the resistance to the occupation. Unsurprisingly, it was not well received by the public when the PA received US-made armored vehicles and weapons to support its "security work" against the armed groups.¹⁴²

The popularity of these groups was confirmed in recent polls, in which 71% of respondents expressed support for their formation, 80% were against their surrender and handing arms to the PA, and 86% said the PASF should not arrest or disarm their members.¹⁴³ Moreover, when a poll asked for the most effective and realistic method to combat settler "terrorism", such as the attack on Huwara, only 29% thought that "Palestinian police forces should be deployed in the targeted areas", while 45% said "Armed groups should be formed by the residents".¹⁴⁴ A majority of 62% do not expect the PASF to join the armed groups in the event of a third intifada, while 33% do.¹⁴⁵ There have been many warnings recently, that as the PA "growing weaker, disintegrating, and losing its monopoly on the use of force accelerates, the trend of violent groups arising and filling the vacuum will increase."¹⁴⁶ In September 2023, UN Special Coordinator for the Middle East Peace Process Tor Wennesland warned at the World Summit of Counter-Terrorism in Herzliya of a "very significant uptick in the availability of very sophisticated weapons that are around all over the West Bank," which "further undermines the PA and its security system," adding, that due to a lack of trust between Palestinians and the PA, "the fabric of society at the West Bank [is] falling apart", which "is a massive security problem".¹⁴⁷

In addition, there have been reports that Hamas and other groups have managed to recruit PASF members as fighters and for intelligence, in part due to the PA's inability to pay its forces full salaries as Israel withholds millions of dollars in tax revenue that it collects on the PA's behalf.¹⁴⁸

¹³⁹ PCPSR Poll, November 2023.

¹⁴⁰ International Crisis Group, *The New Generation of Palestinian Armed Groups: A Paper Tiger?*, 17 April 2023, <https://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/new-generation-palestinian-armed>.

¹⁴¹ Raice, S. and F. AbdulKarim, "Palestinian Authority Fights Its Own People in Struggle to Survive," *The Wall Street Journal*, 5 September 2023; <https://www.wsj.com/world/middle-east/palestinian-authority-fights-its-own-people-in-struggle-to-survive-afb2c0b2>.

¹⁴² <https://www.newarab.com/news/palestinian-authority-receives-us-armoured-vehicles-weapons>.

¹⁴³ PCPSR Poll, June 2023, Question 40-42. Previous polls in December 2022 and March 2023 had similar results.

¹⁴⁴ Another 13% said "the Israeli army should stop settlers' terrorism" and 9% believed that "Unarmed groups should be formed by the residents", see PCPSR Poll No. 89, September 2023, Question 45-4.

¹⁴⁵ PCPSR Poll, March 2023, Questions 45 and 46.

¹⁴⁶ Dekel, Udi (2023), "The Palestinian Authority's Collapse Will Not Stop Terrorism," *INSS Insight*, No. 1688, February 7, 2023, <https://www.inss.org.il/wp-content/uploads/2023/02/No.-1688.pdf>.

¹⁴⁷ Lazaroff, Tovah, "Palestinian terrorists better armed than PA security forces - UN envoy", *The Jerusalem Post*, 12 September 2023, <https://www.jpost.com/middle-east/article-758706>.

¹⁴⁸ E.g., "Hamas said recruiting dozens of PA troops as Ramallah can't afford to pay them in full," *Times of Israel*, 22 August 2023, https://www.timesofisrael.com/liveblog_entry/hamas-said-recruiting-dozens-of-pa-troops-as-ramallah-cant-afford-to-pay-them-in-full/.

Another segment of society that is undermining the PASF's authority are rival family clans that openly carry out their conflicts outside the legal system and at times ensure social order and compliance. Assuming that they only act "internally" and thus pose no threat to Israelis, Israel basically ignores their doings and even their weapons, although they are often better equipped than the PA's police and although some of them are PASF employees.¹⁴⁹

5.4 Security Sector Reforms

Security Sector Reforms have been high on the agenda since 2005 and remain central to relations between the PA and international donors, in particularly the US and the EU. There is no doubt that the interventions of EUPOL COPPS have improved the performance of the police, criminal justice institutions and the MoI, as well as civilian oversight, and that the USSC succeeded in building a security apparatus that reliably ensures that Israel's security is not compromised. This was most recently evident during Israel's War against Hamas in Gaza, when the West Bank remained suspiciously quiet while the rest of the world was in uproar.

However, critics argue that donor efforts, especially US and European security assistance, while well-intentioned, are limited and unsustainable, focusing on restructuring and technical assistance (military/counterterrorism training and equipment), while neglecting support for democratic governance and the rule of law to improve accountability mechanisms and judicial oversight equally.¹⁵⁰ However, such issues are being addressed and have become key components of the USSC's work.

Critics further contend that SSR has contributed to both increasing Palestinian authoritarianism and Israel's ongoing occupation. One step towards improvement has been to add a rule of law component to the USSC and EUPOL COPPS missions. However, the aforesaid one-sided focus has obstructed the development of the PASF in the West Bank in contrast to the Hamas forces in Gaza, who, despite limited resources have developed very effectively according to their own policies and priorities and without external interference, creating a sense of "ownership" that is lacking in the West Bank.¹⁵¹

Other criticisms relate to human and other resources. While the PASF's overall presence has improved since 2015 with expansions into Area B (e.g., establishment of police stations in Ar-Ram, Abu Dis, and Biddu¹⁵²) and better access and movement between the various West Bank areas, inefficiencies remain. The police are concentrated in Area A, especially in the Ramallah headquarters, while the security needs of the Palestinians in Area B and C are not met adequately. Moreover, some PASF positions have been headed by the same individuals for many years in violation of legal provisions, leading to inefficiencies and frustration among the forces.

GIZ is addressing this imbalance with community policing activities, including mobile police stations, to remedy the neglect of police presence in rural areas.¹⁵³ However, the problem remains that security threats faced in these areas are mainly occupation-related (closures, land confiscation, house demolition, raids, arrests, and settler violence), beyond the reach of the PASF, and to a lesser extent of criminal nature (such as car theft, drug dealing, domestic violence, violations of building codes, and assaults by gangs), which are the main problems for Area A residents and much easier to tackle and reform.

One major need is the formulation of a Palestinian National Security Policy which governs doctrine, builds consensus on security interests, develops a coherent strategy, and assigns clear roles, chain of command and responsibilities.

149 Höfner, Steven, and Pia Steckelbach, (2021), *Ein Sicherheitsapparat ohne Gewaltmonopol*, Konrad Adenauer Stiftung, Länderbericht; <https://www.kas.de/de/laenderberichte/detail/-/content/ein-sicherheitsapparat-ohne-gewaltmonopol>.

150 See, for example, Sayigh, Yezid, "'Fixing Broken Windows': Security Sector Reform in Palestine, Lebanon, and Yemen," Carnegie Endowment for International Peace Paper, October 27, 2009, <https://carnegieendowment.org/2009/10/27/fixing-broken-windows-security-sector-reform-in-palestine-lebanon-and-yemen/lw9o>.

151 See, for example, Sayigh, Yezid, *Policing the People, Building the State*, *op. cit.*

152 Al-Omari, Ghaith, "Preserving Israeli-Palestinian Security Cooperation," *Policy Alert* (Washington Institute for Near East Policy, April 10, 2015), <http://www.washingtoninstitute.org/policy-analysis/view/preserving-israeli-palestinian-security-cooperation>.

153 <https://www.giz.de/de/downloads/giz2023-en-german-palestinian-police-partnership.pdf>.

This is a challenge given the inherent contradiction between ensuring the internal security of its own citizens and, paradoxically, the need to ensure the security of the occupier, Israel.

Other complicating factors for reforms have been geographic fragmentation, the Hamas-Fatah divide, the strife within Fatah, and the PA intelligence agencies operating independently and outside the mandate of the USSC and EUPOL COPPS. They are unwilling to give up their special status, and it is also unlikely that President Abbas, who exerts *de facto* control over the entire PASF, will be ready to concede this part of his power, so there is still a lot of convincing to be done.

To make matters worse, the Israeli right completely rejects an expansion of the PASF's scope of action and sees this as a risk to Israeli security, for which they believe the IDF alone is and should be responsible.¹⁵⁴

So far, US-led SSR has been perceived not as a response to the needs of the Palestinian population, emphasizing national ownership, but as reaction to "emergencies" arising from the context of the Israeli occupation, which some argue has "promoted authoritarianism, has significantly contributed to internal division, and has thus negatively impacted democratization and good governance."¹⁵⁵

6. OUTLOOK AND CONCLUSION

Since their establishment, the PASF have become increasingly professional and effective – against all odds and despite the political stalemate, confrontations with Israel, the internal divide, and economic depressions. Its coordination with Israel is often referred to as the "greatest success story" in the context of the post-Oslo Israeli-Palestinian conflict, but that coordination is at risk if the PASF is not empowered in a way that demonstrates to ordinary citizens that its role, including cooperation with Israel, also benefits them and their goal of statehood. This involves not only giving the PASF more freedom of movement, stopping Israel's incursions into Area A, and forcing Israel to interfere with settler violence, but also requires a consensus on Palestinian security interests and the creation of a common, national security doctrine. This would not only strengthen the security sector, but also boost Israel's security and the investment climate in the PA.

The security sector must be reassessed in order to better allocate forces and resources – both geographically and functionally – and ensure security in all locations. This requires reducing the still bloated security apparatus (e.g., via early retirement, compensation, reassignment to other forces), clarifying overlaps and gaps, enhancing the capabilities of certain agencies or departments, including specialized equipment and training, as well as a transparent recruitment and promotion policy based on merits and not on patronage, and proper parliamentary oversight. In order to strengthen public confidence in the PASF, current deficits such as insufficient respect for human rights and civil liberties, discriminatory law enforcement, and lack of transparency as well as of a clear legal and policy framework that sets out mandates, accountability mechanisms, and responsibilities must be addressed. In parallel, security coordination with Israel must focus more on areas of common interest, such as fighting crime, public safety, coordinated policing, and border crossings and borders.¹⁵⁶

External players need to redress the preoccupation with Israel's security and take a more holistic and just view. While the USSC is a crucial liaison for effective coordination and professionalization, it must give the PASF the chance to become the independent national force accountable not to donors and Israel but to the society it is supposed to serve, including in Area C and perhaps also in East Jerusalem neighborhoods. This requires donors and the international

¹⁵⁴ Ravid, Barak, "Israeli Minister: Security Cabinet Kept in Dark about Talks with Palestinians," *Haaretz*, March 14, 2016.

¹⁵⁵ Salahat, N.F. (2022), "Security Sector Reform as a Process of Reconciliation, What Went Wrong in Palestine?" In: Al-Dajani, I.M., Leiner, M. (eds.), *Reconciliation, Heritage and Social Inclusion in the Middle East and North Africa*, Springer, Cham., pp. 383-399, https://doi.org/10.1007/978-3-031-08713-4_24.

¹⁵⁶ SMA White Paper: A Geopolitical and Cognitive Assessment of the Israeli-Palestinian Security Conundrum, June 2015, <https://nsiteam.com/social/wpcontent/uploads/2016/01/A-Geopolitical-and-Cognitive-Assessment-of-the-Israeli-Palestinian-Security-Conundrum.pdf>.

community to pressure Israel and hold it accountable for letting settler violence pass with impunity. In this regard, a third-party monitoring mission could play a significant role in protecting Palestinians where *the PA is off-limits*, building confidence and *legitimacy*.

Should the PA further weaken or even collapse over withheld tax revenues, ever-increasing occupation-related violence, settlement expansion, etc., Israel will have a greater security challenge as Hamas and other armed groups will fill the void. This is recognized by more pragmatic Israeli security sector officials who likely want to see a strong PA, but not the current government. Although the PASF's cooperation with Israel is aimed at weakening the armed groups, it has only boosted their popularity. For the time being, most of them may be small, scattered, with no leadership, strategy or agenda, but this could change and make them a major threat, especially if large numbers of youths who have little hope for a better future under the current realities will join them and there may even be "mutiny in the security sector ranks".¹⁵⁷

A decisive factor will be the future of post-war Gaza. The tasks ahead are huge and whatever form they take, it has become clear that Israel's plan to subcontract the occupation is failing and the PASF will remain a key player. There are plans "to retrain 1,000 former [PA] security forces officers in Gaza and a further 3,000 to 5,000 in the West Bank who would work in Gaza after the war,"¹⁵⁸ with training presumably under the auspices of the USSC. Others¹⁵⁹ call for an early recruitment and security vetting for the PASF mission in Gaza and a gradual deployment with initially limited tasks, such as the Civil Defense for disaster relief and rubble removal and Border and Customs Police for manning border crossings – all supported by a temporary multinational peacekeeping contingent, preferably with Arab participation.

However, Israel's general position remains that its security takes precedence above all else. It is divided between those who favor a strong PA and deeper security cooperation and the right-wing camp that does not see the PASF as a strategic asset.

In the shorter term, it will be crucial to support the PASF implement reforms and to strengthen it, especially with a commitment to reduce Israeli activities in PA territory. In the longer term, the only way to achieve lasting security is through negotiations on a final settlement, which will require serious international intervention.

¹⁵⁷ Shikaki, Khalil, "Palestinian Future after the Israeli Reoccupation of the Gaza Strip," *PCPSR Critical Policy Brief*, No. 6/2023, November 2023, <https://pcpsr.org/en/node/959>.

¹⁵⁸ Faucon, Benoit et al., "U.S. Presses Palestinians to Plan for Postwar Security," *Wall Street Journal*, 16 December 2023.

¹⁵⁹ Koplow, M. and S. Efron, *Starting from the Ground Up: U.S. Policy Options for Post-Hamas Gaza*, Israel Policy Forum, December 2023, <https://israelpolicyforum.org/wp-content/uploads/2023/12/Starting-From-the-Ground-Up-1.pdf>.

**For a bibliography of
relevant and useful
publications scan this QR Code:**



**© Palestinian Academic Society
for the Study of International Affairs**

Tel: +972-2-626-4426 / 628-6566 | Fax: +972-2-628 2819

Email: passia@passia.org | Hind Al-Husseini, Alley, 2 Wadi Al-Joz | P.O. Box 19545, Jerusalem / Al-Quds