



المركز الفلسطيني
للبحوث
السياسية والمسحية
Palestinian Center for
POLICY and
SURVEY RESEARCH

Who Needs Security?



Palestinians residing in area “B,” area “C,” H-2 in Hebron, and isolated Jerusalem neighborhoods struggle to survive in an environment lacking security and rule of law and hold the Palestinian Authority responsible for their protection and demand Palestinian police presence in their areas

Final Report – Executive Summary

Khalil Shikaki

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The Palestinian Center for Policy and Survey Research (PSR)

PSR is an independent nonprofit institution and think tank of policy analysis and academic research. It was founded in 2000 with the goal of advancing scholarship and knowledge on immediate issues of concern to Palestinians in three areas: domestic politics and government, strategic analysis and foreign policy, and public opinion polls and survey research. PSR conducts policy analysis and empirical surveys and public opinion research and organizes task forces, study groups, meetings and conferences. Its work focuses on current public policy issues with a special reliance on empirical evidence as a tool to advance scholarship and understanding.

PSR is dedicated to promoting objective and nonpartisan research and analysis and to encouraging a better understanding of Palestinian domestic and international environment in an atmosphere of free debate and exchange of ideas. PSR is registered as a nonprofit institution in the Palestinian Ministry of Justice.

This initiative has been organized in cooperation with the Netherland Representative Office in Ramallah and in cooperation with the Konrad-Adenauer-Stiftung in Ramallah



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Dr. Shikaki is the author of PSR's 2014 report on "Changing the Status Quo: What directions for Palestinians?" <http://www.pcpsr.org/en/node/650>, and "The Likelihood, Consequences and Policy Implications of PA Collapse or Dissolution: The "Day After" Final Report:" <http://pcpsr.org/sites/default/files/finalreport.pdf>

Preface:

Since early 2016, the Palestinian Center for Policy and Survey Research has conducted empirical research on Palestinian needs for security and rule of law in the Palestinian territories outside the area known as “A.” These targeted areas included the following: (1) area B, (2) area C, (3) H2 sector of Hebron, and (4) isolated Jerusalem neighborhoods located to the east of the Israeli separation wall, including Kofr Aqab, Samir Amis, Shufat refugee camp, and parts of Qalandia.

The study utilized various means and activities. Eight focus groups were conducted, each with a small group of residents from these areas ranging between 15 and 20 men and women, young and old. Four public opinion polls have been conducted during 2016. They included all areas under study, with two among a representative sample of the entire West Bank, to allow comparisons between A and non-A areas, while the other two focused on non-A areas. Six case studies covered a range of issues, including forced migration from area C, the status of security in the Jerusalem neighborhoods in area B, drug trafficking in non-A areas, aggression against women in area C, settlers’ violence, particularly in H2 area, and absence of security in isolated Jerusalem neighborhoods beyond the separation wall. The case studies relied on official statistical data, polling results, focus group findings, and field interviews. Finally, the study relied on interviews with Palestinian officials in relevant ministries and agencies, such as the Ministry of Interior, the Ministry of Justice, the Supreme Judicial Council, the Police, the Palestinian Military Liaison, and others. Interviews were also conducted with relevant international and Israeli figures involved in the management of Palestinian-Israeli security coordination and rule of law.

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Executive Summary:

B and C areas of the West Bank, as well as the H2 area of Hebron (which includes the old city and few other neighborhoods still remaining under Israeli control) and several isolated East Jerusalem neighborhoods suffer from lack of security and law enforcement. PSR survey research findings, focus groups, and case studies conducted by PSR in these areas show considerably lower levels of safety and security perception among Palestinians residing in such areas compared to those residing in area A of the West Bank. Findings also show a much greater lack of confidence in the Palestinian system of justice. Residents in non-A areas complain of high levels of crime, drug and arms trafficking, and use of their neighborhoods as safe havens by criminals, armed gangs, and others. On top of that, they see an absence of rule of law. Lack of law enforcement in these areas deter PA and private sector investment. Moreover, lack of personal and family safety forces people to move out to more secure areas. Many report that their neighbors have moved out to safer areas. More seriously, settlers' violence in these areas adds further strain on the already tense Palestinian-Israeli relations and reduces Palestinian public confidence in their own government and security services. Indeed, the combination of domestic and Israeli-based threats in these non-A areas contributes significantly to damaging the long term viability of Palestinian-Israeli security coordination by increasing public demand for ending it.

There are various reasons for this situation. The PA cannot, under the terms of the Oslo agreement, deploy its police force in most of these areas. Even when it can, it often needs coordination with the Israelis in order to access roads in area C which provides the only means of reaching most of these areas. Lack of PA security and legal jurisdiction over East Jerusalemites, carrying Israeli IDs, greatly compounds the problems of law enforcement in many towns and neighborhoods, particularly those adjacent to East Jerusalem or its periphery. The Israelis, who are officially responsible for enforcing law and order in area C and the isolated Jerusalem neighborhoods, focus solely on fighting armed resistance and political violence but do little or no policing or law enforcement.

Moreover, despite the fact that it has jurisdiction over judicial matters related to Palestinians, PA's ability to enforce rule of law is significantly harmed by its weak enforcement capacity. For example, police capabilities remain deficient. Although police to people ratio is satisfactory, the challenges and constraints under which the police operates require greater capabilities than it currently has. The Palestinian security sector devotes greater resources, such as manpower, vehicles, and arms, to other forces, including the National Security Forces, along with the presidential guard and the military intelligence, Intelligence, and Preventive Security. Although the police can draw on these other resources in emergency or when needed, its ability to make long term planning, create redundancy to address uncertainties, and deploy forces to vulnerable and isolated areas in a routine fashion remains greatly constrained. As a result, PA police presence in area B, where the PA has a law enforcement jurisdiction, is hardly noticeable as only a small number of permanent police stations are currently operating in most towns and villages located in such areas. Moreover, despite having judicial jurisdiction, no permanent Palestinian police presence is allowed in area C or H2 (in Hebron) at all. Jerusalem neighborhoods that have been isolated in recent years by the separation wall, such as Kafr Aqab, Samir Amis, parts of Qalandia, and Shufat refugee Camp, have essentially been abandoned by the Israeli police and have become a no-man's land; residents of those areas complain of greater insecurity than in any other Palestinian areas.

The inability of the PA to deliver basic security and law enforcement services to these areas has harmed PA standing among the Palestinian public. The public is losing trust in PA, its security services, and system of justice. Most question the usefulness of Israeli-Palestinian security coordination, seeing it as serving Israeli interests only. The resulting environment is one of instability and high tension between Palestinians and Israelis.

One additional outcome of this situation has been the inability of the Palestinian police to consistently implement court orders, or implement a functioning notification system. The Palestinian functional jurisdiction over judicial matters in area C is impeded by lack of full access to the area by the Palestinian police. Summons and subpoenas issued by the Palestinian courts cannot be delivered in an efficient manner which greatly slow down their ability to issue judgement. This in turn has reduced the incentives of the public in those area to seek judicial assistance. The justice system's ability to enforce the law or to enforce contracts is thereby negatively affected. The combination of insecurity and lack of effective law enforcement impedes business investment and forces the private sector to invest elsewhere. High unemployment rate forces residents to seek work outside their areas. If law enforcement agencies are not able to operate effectively in those areas, the justice system will continue to be handicapped and the public will continue to have little confidence in it.

PSR's survey data, focus groups, and interviews indicate a great demand for the deployment of the Palestine police in all areas deemed vulnerable including the isolated Jerusalem neighborhoods. In order to promote greater safety, security, and law enforcement for Palestinians residing in non-A areas of the occupied Palestinian territories the Palestinian security sector has several options. There are three types of options: those that require Israeli consent; those that requires restructuring or reallocation of resources within the sector, and those that requires building coalitions with local actors, such as local councils, political factions, and other public and civilian bodies.

Three needs cannot be met without Israeli input: permanent police presence in areas currently outside Palestinian law enforcement jurisdiction, in-advance routine long-standing coordination regarding multiple trip access to roads, and legal jurisdiction over East Jerusalemites who reside in areas under Palestinian judicial jurisdiction. For example, any Palestinian police presence, visible or invisible, in populated C areas or in the isolated Jerusalem neighborhoods requires an explicit or implicit Israeli approval. Similarly, Israeli approval is required for any long term routine access to roads in area C that link isolated B areas without renewed coordination for each and every trip. The same applies to any PA decision to enforcing the law over East Jerusalemites with Israeli IDs.

Internally, the PA can address the current imbalance in the ratio of soldier/policeman to officer which currently overwhelmingly favoring officers and the imbalance in force deployment between the various governorates which currently favors Ramallah. It can also establish more mobile units and devote greater resources to them so that they can be easily deployed in and close to vulnerable communities. Routine daily patrols to isolated B areas can also be instituted. More importantly, the security sector can devote greater resources to police functions. For example, a large part of the National Security Forces can be attached to the police on permanent basis to serve the role of a "national guard," or a national gendarmerie, one that can be tasked with routine daily deployments and missions. The same can be applied to various departments in the Preventive Security that perform functions similar to those of the police.

Moreover, the security sector, working closely with local government and governorates, can build wider civil society coalitions that help provide security in those areas where police

presence, in the form of stations, daily patrols, or mobile units, is not an option. This might be relevant to the isolated Jerusalem neighborhoods and to C areas that are close to settlements or major highways. In coordination with the police and the local government, local councils and/or the governors can appoint security guards and link them directly to a police command center. These guards can be retired or former members of one of the security sector services or members of local civil society groups operating in the areas.

Finally, it is highly recommended that the PA and the security sector conduct an extensive survey of *all* non-A areas in order to (1) assess the nature and types of threats in each area; (2) develop a checklist of priorities pertaining to threats to be addressed and areas to be covered; (3) develop a similar checklist of priorities pertaining to threats related to the justice system; (4) develop various responses to the documented threats, including, but not restricted to, permanent police deployment; and (5) assess costs and explore means of financial and other resource re-allocation in the security sector.

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