



# 3

## Palestinian National Protection Strategies and Realities

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. The lack of protection is not only due to Israeli military occupation and the years of economic blockade, but also due to the selective or ineffective protection by the Palestinian Authority (PA) and the belligerent protection under Hamas. The lack of a peace process and the simultaneous encouragement of resistance and its repression by the Palestinian representatives have also placed an increasing number of Palestinian and Israeli civilians at risk. *To what extent does or can Palestinian national security institutions protect the civilian population under their authority? What are the principles, practices and perceptions of protection under the Palestinian Authority?* Protection of civilians under Palestinian Authority needs to be distinguished between protection under Hamas authority in Gaza and the varying degrees of autonomous rule by the Fatah-run Palestinian Authority in the West Bank. Israel's military occupation, the divisions of the West Bank into Areas A, B & C, as well the differing realities in Gaza versus the West Bank, has made the analysis of protection and responsibility for violence and accountability complex.

Examination of the behaviour of the Palestinian government and security apparatus cannot be taken out of the context of Israel's military occupation and systematic discrimination which has increasingly commonly been labelled as apartheid. As noted in a 2022 report by Amnesty International: 'Israel's system of institutionalized segregation and discrimination against Palestinians, as a racial group, in all areas under its control amounts to a system of apartheid, and a serious violation of Israel's human rights obligations. Almost all of Israel's civilian administration and military authorities, as well as governmental and quasi-governmental institutions, are involved in the enforcement of a system of apartheid against Palestinians across Israel and the OPT...the intention to maintain this system has been explicitly declared by successive Israeli political leaders, emphasizing the overarching objective of maintaining Jewish Israeli domination by excluding, segregating and expelling Palestinians' (Amnesty 2022, p. 267). The findings are echoed within investigations by other national and international organizations.

Beyond the system of apartheid, Israel monitors and controls all aspects of Palestinian life including free movement of civilians, officials, basic goods, trade and communication, making Palestinians completely dependent on Israel and foreign aid for their survival and well-being. Finally, separation and segregation are systematically maintained, which limits cooperation and accountability. Given the Israeli control of Areas B & C, the Jewish settlements, Israel's land appropriated for agriculture, nature reserves and military training camps, Palestinians currently control about 18 percent of the territory of the West Bank, and even this is not fully. Area C covers 60% of the West Bank territory and is home to an estimated 180,000–300,000 Palestinians and to a Jewish settler population of at least 325,500 living in 125 settlements and approximately 100 illegal outposts (B'Tselem 2022). As noted by B'Tselem 'Israel retains control of security and land-management in Area C and views the area as there to serve its own needs, such as military training, economic interests and settlement development' (B'Tselem 2022). Ignoring Palestinian needs, Israel has banned Palestinian construction and development and encourages the development of Israeli settlements, turning a blind eye to settler build-up and violence. Under these conditions, Palestinian management and accountability are also severely limited.

The current realities, which offer little hope for better future, make resistance expected and popular, especially among the youth. Most current resistance is non-violent including demonstrations and strikes. Much of the violent resistance comes in the form of rockets, kites or attempted tunnel attacks from Gaza and lone-wolf terrorist attacks from the West Bank. The rise in the number of terrorist attacks in 2022 has increased a sense of insecurity within Israel. During April a Palestinian gunman entered Israel through a gap in the barrier and shot dead three people in Tel Aviv. A week earlier, a Palestinian also crossed through the barrier illegally and shot and killed five people in Bnei Brak. On May 5 in Elad, two Palestinians entered Israel illegally and killed three people in an axe attack. The last attack took place after Hamas leader Yahya Sinwar called out in a speech before Palestinian dignitaries and elites in Gaza for Palestinians to carry out operations inside Israel using every possible weapon. “Our people under occupation inside [Israel] in the Negev, the Triangle region, the Galilee, Haifa, Jaffa, Acre, and Lod — whoever has a gun should prepare it, and whoever does not have a gun should prepare his cleaver, axe or knife. If they want there to be a religious war, they will be shattering all the red lines, and we should be on standby” (Memry TV 2022). Israel responded by plans to build a higher wall to replace fencing and threatened to kill Sinwar.

Protection of the Palestinian population is widely different across the Occupied territories depending on the location, violent escalations between Israel and armed groups, specific or ongoing incidents and operations, proximity to settlements and the politics of the moment. Despite significant domestic and international investment in the Palestinian security sector, there are fundamental incongruities in civilian protection under the Palestinian Authority (PA). With over 83,000 security personnel in the West Bank and Gaza combined, the PA contains one of the highest ratios of security personnel to civilians in the world, which accounts for more than one-third of its budget (ECFR 2022). Their specific mandates and serious discords between the Palestinian Authority’s security forces and the Palestinian resistance movement undermine effective protection (Tartir 2015). There is also an ongoing generational friction between young Palestinians thirsty for

change and part of the older generation profiteering, or perceived as profiteering from the system. The generational clashes have led to deadly confrontations which are discussed in the subsequent chapter focused on children.

In recent years, the PA has been criticized for its human rights practices including lack of tolerance of opposition and difference. As noted by the European Council of Foreign Relations (ECFR), [Palestinian] security forces continue to perpetrate human rights violations including arbitrary detention, torture and the use of excessive force (ECFR 2022). According to Human Rights Watch, the Fatah-led Palestinian Authority in the West Bank and Hamas authorities in Gaza routinely arrest and torture peaceful critics and opponents (Human Rights, 2018). Other international observers including Amnesty International noted that Palestinian authorities in the West Bank and the Hamas de facto administration in the Gaza Strip repressed dissent, resorting to arbitrary detention, torture and other ill-treatment, and the use of excessive force against protesters (Amnesty 2018). As in Israel, dissidents, critics, journalists and human rights activists have all been targeted.

Cycles of violence, political incitement and abuses by the IDF, border police and private security forces have all contributed to terrorist attacks. The majority of terrorist attacks emanating from within the West Bank against Israelis have in recent years been conducted by Hamas or lone-wolf attackers, unaffiliated with any factions. 1990's Oslo peace process managed to reign in the majority of the Palestinian terrorist groups operating inside the West Bank. Unified National Command, which was one of the contributing factors to Oslo, was comprised of individuals from militant groups, including the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), al-Fatah (the militant wing of the PLO) and Hamas (Jackson 2007). However, Hamas and PIJ rejected the Oslo Accords (Jackson 2007). Unified National Command's primary purpose was to organize protests and not to conduct terrorist activities. The failure of the 2000 Camp David Summit to reach final agreement and Ariel Sharon's provocative visit to the Temple Mount triggered a second intifada. Israel engaged in gunfire, targeted killings, tank and air attacks, while the Palestinians engaged in suicide bombings, rock throwing, gunfire and

rocket attacks, resulting in high numbers of civilian casualties. The West Bank security barrier, or the separation wall, was built to thwart terrorist attacks coming into Israel subsequent to the second intifada, as Israel fought waves of suicide bombings and other terrorist attacks.

In the aftermath of the 2007 takeover of Gaza by Hamas, the Palestinian security sector was split into the Hamas-controlled security in Gaza, and the security sector under the control of Fatah in the West Bank. Hamas, a Sunni-Islamic fundamentalist militant group, violently suppressed opposition, established an armed resistance wing and set up a state-like security apparatus. Hamas has progressed far beyond a terrorist group to become a social movement (Robinson 2003). An offshoot of the Muslim Brotherhood, Hamas benefited from Israeli assistance in their drive to undermine the Palestine Liberation Organization (PLO). Israel supported the Islamist group, believing it could use the Islamists as a counterweight to the PLO, which was viewed as the greater threat to Israeli interests and security (Robinson 2003, p. 124). As noted by the Hamas representative Muhammad Nazzal, "The Israeli mentality is security first, before politics and everything else. It thought its security was enhanced by allowing us to grow, without thinking what might happen down the road" (Robinson 2003, p. 124). Since coming to power, Hamas built not only mosques, but also schools, kindergartens, clinics, hospitals, charitable associations, sports clubs and other institutions. Connecting religion, social activities and social services, it has become a powerful and popular social movement (Robinson 2003).

Although in recent years some of the leadership of Hamas has at times toned down its hard-line uncompromising militant narrative, the organization continues to support terrorist acts and is investigated for war atrocities. Hamas seeks and maintains a complicated role as a state-like security provider and a resistance movement, which creates contradictions. In May 16, 2018, Sinwar stated that Hamas would pursue "peaceful, popular resistance". A week earlier he had encouraged Gazans to breach the Israeli siege, saying "We would rather die as martyrs than die out of oppression and humiliation", Hamas seeks and maintains a complicated role as a state-like security provider, social and a resistance movement which creates contradictions. As noted by Berti;

‘the tensions inherent within Hamas’s quest to be an effective security provider and a “resistance movement” reflect the broader struggle between governance and rebellion and between the competing needs of political accommodation and military struggle faced by non-state armed providers of governance’ (Berti 2016, p. 1070). The PA and international organizations have condemned protection strategies and practices under Hamas. UN Special Coordinator for the Middle East Peace Process Tor Wennesland noted that there is ‘no justification’ for terrorism or violence against civilians and ‘the indiscriminate launching of rockets towards Israeli population centres violates international law and must stop...’ (UN News, 2022). Hamas’s success in carrying out attacks in the West Bank, has been aimed at provoking the IDF and to humiliate the PA and undermine its status.

In the West Bank, the PA under President Mahmoud Abbas and Prime Minister Salam Fayyad have focused on gaining the monopoly on power and the use of violence. The security reform aimed to transform the Palestinian security sector has, however, not increased the level of protection for civilians and led to a deepening of authoritarianism in the OPT. The emphasis of security under the PA in recent years has been working in collaboration with Israel to weaken opposition, most notably Hamas. For Israel, this has indeed been beneficial. Israeli army officials estimate that the Palestinian security forces are responsible for thwarting 30–40% of attacks conducted in the West Bank (Lisiecka 2017). The label of ‘terrorist’ has become politicized as Israel has labelled Palestinian children, non-violent BDS (Boycott, Disinvestment, Sanctions) supporters and prominent human rights NGO’s as ‘terrorist’. During 2021, Israel classified 6 Palestinian human rights NGOs as terrorist organizations, including those focusing on women’s and children’s rights. Most international observers and Palestinians believe that the main Israeli motivation behind the labelling of six Palestinian NGOs as terrorist organizations is to weaken the ability of these organizations to document Israeli violations of human rights and to weaken the PA efforts to take Israelis to the International Criminal Court (PSR 2021).

The collaboration with Israel’s security forces has cost the PA much popularity among its population, especially the youth. With ongoing escalations with Israel, targeted IDF attacks against Palestinians, and

settler violence, the Palestinian public feels no tangible effects of the cooperation with Israel (Lisiecka 2017). As noted by one critic: 'the PA security forces largely protect the security of the occupier and not that of the occupied' (Tartir 2017, p. 3). The Palestinian population has become increasingly vulnerable using non-violent means of resistance such as demonstrations. Lack of negotiations and political progress also do not bode well for democracy or hope for non-violence especially among the younger population. Although in recent years neither Hamas nor Fatah have conducted national elections, results of surveys show that Hamas is currently more popular than Fatah, and if elections were to be held, Ismail Haniyeh, political leader of Hamas, would likely win against both President Abbas and Prime Minister Mohammad Shtayyeh (PSR 2021). However, Marwan Barghouti, also from Fatah but serving in Israeli prison since 2002, is far more popular than Haniyeh, with the support from two-thirds of the Palestinian population. Opinion polls also show that three-quarters of the Palestinian public are unsatisfied with the current leadership and demand the resignation of President Abbas. Subsequent to May 2021 war between Hamas and Israel, the popularity gap jumped up to 39% in favour of Hamas (PSR 2021).

## The Protected

The protected civilian populations include those under PA immediate authority, those under the authority of Hamas as well as other civilians directly affected by the violence or incitement of violence. Thus, Israeli civilians, whether Jewish or Palestinian, are also directly affected by Palestinian strategies and policies whether as victims of rocket or terrorist attacks. There is a wide degree of differentiation between the protection of civilian populations living in Israel, under the PA within different areas of the West Bank and Gaza. The level of protection in the West Bank ranges from relatively effective within the largest urban centres most notably Ramallah, to non-effective in areas under mixed Israeli/Palestinian control such as Area B, and among the population living close to Israeli settlements, to belligerent protection within Gaza.

It's impossible to examine protection under PA while ignoring Israel's military occupation which impacts the daily lives of Palestinians. Within the first six months of 2021, 60 Palestinians were killed, almost double the number of 2021. According to the UN, there were 78 Palestinian fatalities at the hands of Israeli security forces for all of 2021, and 24 such fatalities in 2020 (UN Report [2022](#)). Close to half of the Palestinian male population has experienced imprisonment in Israeli military prisons (Nafstad, [2018](#)). The majority of Palestinians, including children, have experienced or at least witnessed violence and have trauma. Many terrorist (or attempted) attacks against Israelis are made by individuals whose family or friends were hurt by Israeli soldiers.

The lack of protection is compounded by the complexities of simultaneous resistance to the Israeli occupation, which is permitted and encouraged by the PA, and opposition to the Palestinian governing authority, which is not tolerated and commonly crushed. Both the PA and Hamas have worked to rein in and intimidate their political opposition through harassment, arrests of protestors and violence. The lack of tolerance of opposition has made Palestinian youth especially vulnerable given their desire for change. While Hamas has refused to renounce violence, the document of its principles and policies states that: 'managing resistance, in terms of escalation and de-escalation, or in terms of diversifying the means and methods, is an integral part of the process of managing the conflict' (Kear [2022](#), p. 14).

## West Bank

Under the Oslo accords, the West Bank was separated into Area A, under Palestinian control, Area B under mixed authority and Area C, the majority of the land of the West Bank where the Israeli military holds exclusive military and administrative control. Protection of civilians under the PA is generally more feasible and effective within Area 'A' of the West Bank, where Palestinian police are responsible for providing protection. As discussed in Chapter 2, the protection issues of most concern are in areas under joint or Israeli authority, namely in Area C, where Palestinian civilians live under Israeli military rule without access



to social and security services, including the Palestinian police. Protection is more effective during periods where Israeli and Palestinian protection authorities cooperate rather than in periods and locations where their efforts are in opposition to the other. In recent years, most discussions between Israeli and Palestinian leadership have focused on security “coordination” (Al-Omari 2016). Coordination between Israeli and PA authority has, however, not prevented Israel from acting unilaterally. Forceful Israeli incursions into Area A, among other unilateral acts, have undermined coordination and the PA’s ability to maintain control over its population. Most of the deadly violence in the West Bank is at the hands of the Israeli military or Jewish settlers and takes place during Israeli incursions into Area A or within Area C, without the engagement of Palestinian security. Since settlers work with the military and are supported by the government, the violence against Palestinians occurs without investigation and accountability. Israeli NGO B’Tselem records daily incidents of settler violence including cutting down olive trees, killing of herds, theft and injuries.

While protests against Israel and its occupation are welcome, criticism of the Palestinian Authority is not. In recent years, Palestinian President Mahmoud Abbas has banned protests against his own government and imposed particularly harsh security measures against any opposition. Critical political activists, journalists, students and demonstrators have been beaten and detained. In June 2021, Nizar Banat, an outspoken Palestinian critic, who was planning to run in elections, was beaten, arrested and died in custody. Banat was a prominent Palestinian political activist, an advocate of free speech and was known for his outspoken criticism of the PA for its corruption and its security coordination with the Israel (Sneineh 2021). His death sparked protests among the Palestinian population. Although fourteen officers from the Palestinian security services have been charged over the death of Banat, the trial has been hampered. Family and critics have noted that the PA has been attempting to delay and disrupt the trial (Memo 2022).

Although, as discussed below, there is no shortage of protection agencies, the main problems are linked to the occupation, divisions between the West Bank and Gaza and the limited authority and the jurisdiction of the PA. Protection of minorities, women, children and teens have also

been particularly problematic under Hamas as well as the PA. In Gaza, Hamas runs schools, clubs and military day camps for kids and youth. In the West Bank, Palestinian children and teens have been encouraged to take part in protests in order to educate them about the reality of the occupation and strengthen the moral strength of non-violent resistance. As noted by one international observer, there is a general sentiment that “as a parent you protect the children more by exposing them rather than shielding them from the violence” (Red Cross Interview 11, 2019). However, as will be discussed in greater detail in Chapter 4, participation of youth, including children in violent and non-violent demonstrations, has placed Palestinian teenagers in a high-risk category.

## The Protectors—West Bank

The government and security under the PLO and the PA have been closely aligned. Arafat’s establishment of security-driven political structures nourished authoritarianism and blocked accountability (Tartir 2017). Under late Palestinian President Yasser Arafat, corruption was high, and security for Palestinians was low, which has not changed significantly. The current security sector in the West Bank consists of several official key players including the PA Government, the Palestinian Civil Police, Preventive Security Service (PSS), Palestinian National Security Forces (PSF), Presidential Guard (PG) and the judiciary.

**PA Government:** The Palestinian security sector employs around half of all the civil servants, accounts for nearly \$1 billion of the PA budget, and receives around 30% of the total international aid disbursed to the Palestinians (Tartir 2017). The security sector consumes more of the PA’s budget than the education, health and agriculture sectors combined. However, the PA is unpopular and considered to be very weak, and collaboration with Israel to curtail resistance and terrorism while also repressing opposition has only boosted its unpopularity. President Abbas has threatened at least 58 times to end the security cooperation with Israel due to Israel’s ongoing occupation, but has never done so. In 2014, President Abbas noted that cooperation with Israel is sacred (Middle East Monitor 2014). Since most of the funding is external and the PA would

not survive without it, it's unclear to what extent PA is able to change this policy without losing the support of the IC, including the US. As noted by an NGO: 'they [PA] need funding from the EU and the US, but the US and the EU are not willing to fund the Palestinian security forces unless the Palestinian security forces cooperate with Israel to maintain Israel's security' (Nafstad 2018).

### **Palestinian Civil Police (PCP)**

The Palestinian civil police are the PA's main law-enforcement agency in Area A of the West Bank. PCP handles ordinary police functions such as combating crime and upholding public order, and is in charge of the PA's prisons. The civil police have various sub-branches including: criminal investigation, drug enforcement, public order, traffic, emergency response and a women's police force (ECFR 2022). The Palestinian police are also responsible for curbing Palestinian protestors within Area A or along its borders. Area A is broken up into enclaves between which there is limited freedom of movement. Palestinian police are also restricted in moving personnel, vehicles or arms between different PA autonomy areas without prior Israeli permission (Sayigh 2011). Out of a total of 8,000 police officers, only 300 are women, which is very low and far below the international average.

Since 2007, the PCP has received training from the EU's Police Mission for the Palestinian Territories, focused on security and justice reforms (EUPOL COPPS 2023). Some aspects of protection under the PA have improved in the West Bank, in particular for women. In 2008, Palestinian civilian police established a Family Protection Unit through EU support and gender training for the police. The protection unit opened branches in 10 districts within the West Bank and aspired to build more effective protection from violence against women and children. The police also supported the establishment of a unified service centre to provide a coordinated response among service providers to provide victims of domestic violence protection with accountability (Palestinian Police 2017). Where PCP has actively tackled violence against women with investigations and accountability, the number of

femicides and domestic violence cases have dropped. Palestinian women make up only 3 percent of the police force, however, more than 30 percent of lawyers are women and Palestinian women are beginning to play a more active role in the justice system within Area A. Still, violence against Palestinian women and girls remains a serious issue. In general, Palestinians are most satisfied with the work of the police. In a 2015 survey conducted by the UN and EUCOPPS, Palestinian respondents agree by a significant majority (71.6%) that the PCP does an excellent job in responding their needs of their communities (UNDP/PAPP/EUCOPPS 2015).

***Preventive Security Service (PSS):*** PSS is a prestigious security branch in the PA whose main responsibilities include maintaining internal security within the West Bank and uncovering criminal, security or political offences (Levy 2016). The PSS was established by Fatah operatives who came to prominence in the territories prior to the Oslo Accords. It reports directly to the Palestinian President and has grown to become one of the most powerful security forces (ECFR Mapping 2022). Its missions are almost identical to those of the Palestinian General Intelligence Service and work closely with the CIA and Israeli security agencies. Similar to GIS personnel, PSS officers operate in civilian attire, and they carry out both clandestine and public operations. PSS monitors and impedes the activities of Hamas and Islamic Jihad in an effort to weaken these organizations' influence in the West Bank (Levy 2016). PSS also monitors and tracks critics of the Palestinian Authority. It was the PSS that arrested and severely beat one of the most prominent critics of the PA Nizar Banat, who died in their custody.

***Palestinian National Security Forces (PSF):*** The PSF is essentially the Palestinian army and constitutes the largest branch of Palestinian security forces. A rough estimate of the total strength in 2007 was 42,000 troops. The numbers were reduced under restructuring, and currently, it has approximately 10,500 personnel, who receive training and support from Jordan and the US through its United States Security Coordinator (USSC) (ECFR 2022). PSF conducts large-scale operations and arrests in the Palestinian territories against Palestinian terrorist cells. Palestinian security forces have been known to release arrested terrorists and then

quietly tip off Israeli forces in order to mitigate internal public criticism against handing Palestinians to Israel (Bob 2014).

**Presidential Guard (PG):** The Presidential Guard (PG) is an elite force, comprised of around 2,300 personnel, with a mandate that includes personal protection to the president, counter-insurgency and rapid intervention tasks. The PG also receives training and support from Jordan and the US through the United States Security Coordinator (USSC). The US was highly involved with the training of officers, coordinated by Lt. Gen. Keith Dayton. The PG has been accused of being an arm of the Israeli occupation and an extension of Abbas' efforts to crush political dissent in the Occupied Palestinian Territories. Palestine papers<sup>1</sup> confirmed, among other things, that Palestinian Authority forces supported by the US engaged in torture (Perry 2011).

**Palestinian Judiciary:** The PA court system is composed of Sharia courts, military courts, the Court of First Instance, Court of Conciliation, the Courts of Appeal, the High Court of Justice, Constitutional Court and Electoral Court. Israeli military courts also try Palestinian residents in security cases and over time have extended their jurisdiction to penal, civil, commercial and traffic cases. Also, many disputes between Palestinians are settled outside of the formal court system within the tribal justice system. The tribal justice system derives its provisions from tribal traditions and cultural heritage, but it may undermine the rule of law and can be detrimental to women's rights. Critics have noted that the executive authority in Palestine has also exploited social traditions and invested in the tribal system in an effort to consolidate their influence, at the expense of establishing the rule of law (Dodeen 2019). The Palestinian President has exercised legislative and regulatory powers outside the framework of the constitution to give himself greater powers to manage the affairs of the country and to interfere with the work of the constitutional institutions of the PA (Dodeen 2019). In September 2018, the Palestinian Judges Association announced that 14 (out of 27) justices of the Supreme [High] Court had submitted their resignations

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<sup>1</sup> A collection of 1,700 confidential documents about the Israeli-Palestinian peace process leaked to Al Jazeera in 2011.

in protest against legal amendments proposed by the Judiciary Development Committee “undermining the independence of the judiciary” (ECFR 2022). Although Palestinian women make up 30% of all active lawyers in Palestine, the judiciary system in Palestine is also far from representative. Until recently, Articles 98 and 340 of the Penal Code granted a mitigating circumstance in the punishment for murdering a woman, if the murderer had been angry because of an act committed by the woman and classified as a violation of family honour (Dodeen 2019).

## The Protectors—Gaza

*Civil Police Force:* In Gaza, the civil police force was first developed after the 2007 takeover of Gaza by Hamas. In 2007, the security forces on PA’s payroll were ordered not to report to work, which led to an immediate collapse of the security sector (Berti 2016). The new force was rapidly made up of members of the armed wings of Hamas and the Popular Resistance Committees (PRCs), as well as members of smaller armed factions in Gaza. It was subsequently rebuilt after the 2009 Israeli Operation Cast Lead, which heavily targeted the civil police and its infrastructure. During Cast Lead, the police commissioner, Tawfik Jaber, was killed along with many others including cadets in an attack that took place during the police academy’s graduation ceremony. Said Siam, Hamas’ Minister of Interior, was also killed by a Cast Lead attack on his brother’s home. According to Israeli secret service Shabak, no distinction was drawn between the military wing operatives incorporated into the police force and their activity as terror agents against Israel (Shabak 2015). The UN outlined that the mere fact of being a member of Hamas is not sufficient to render a person a legitimate military target.

Hamas invested in establishing a police collage and training and administrative development department in partnership with local and international NGOs (Berti 2016). Beyond crime prevention, drug and crowd control, policing also focused on ‘social control’ and ‘moral policing’, for example, by monitoring women’s attire or by regulating behaviour deemed as inappropriate (Berti 2016). LGBTQ rights and

freedom in Gaza are strictly and violently prohibited, with a possible death penalty for those suspected of straying from heterosexual norms.

*Izz ad-Din al-Qassam Brigades:* The military wing of Hamas operates as an army with numerous units including: elite unit, artillery unit, tunnel unit, snipers unit and infantry. Qassam Brigades has invested in weapon production as well as acquisition of rockets, mortars as well as on anti-tank weapons, and target-designed explosives as part of the group's effort to prepare for direct engagement with the IDF (Berti 2016). Hamas's military wing has also relied on underground tunnels to smuggle in goods, boost profits and to bolster its military apparatus for defensive as well as offensive operations against Israel (Berti 2016). Although other militant groups operate within Gaza, any direct threat to the authority of Hamas is met with armed force.

Hamas has launched tens of thousands of rockets into Israel. Although many rockets explode in the immediate cities of Sderod, Ashkelon and Ashdod and within Gaza, some of the rockets launched today can reach up to 250 kilometres hitting more distant towns including Tel Aviv and the outskirts of Jerusalem. Approximately 90% of the rockets have been successfully intercepted by the Iron Dome (Frantzman 2021). Since 2011, the Iron Dome intercepted more than 2,500 rockets. The number of rockets launched has, however, been on the rise. During one week in the 2021 conflict in the midst of a violent escalation, the Iron Dome intercepted 1,200 rockets (Frantzman 2021). Hamas justifies its continuation of violent resistance and the targeting of Israeli civilians to the ongoing realities including continuing military occupation and its own lack of sophisticated weapons.

*Judiciary:* Subsequent to its takeover of Gaza, Hamas appointed members and supporters of its movement to main leadership positions within legislative, executive and judicial branches of its government. Hamas decided not to completely dispense with the penal code and to instead gradually replace it with Sharia law. 'In place of the Penal Codes punishments of imprisonment and fines, it proscribed the *hudud* [Quranic limits of capital and corporal punishment] and *qasas* – the Shari'a principle of equitable retaliation: he who kills with an axe should die by an axe' (Pelham 2010a, b). The Shariah courts have been especially problematic for women's rights, which have continued to be denigrated.

In February 2021, the Sharia Judicial Council decided that an unmarried woman may not travel without the permission of her “guardian”, which would usually refer to her father or another older male relative and married women would not be able to travel without the permission of her husband (Akram 2021). Although the ruling was partially overturned following demonstrations, women continue to experience harassment when attempting to exit Gaza.

## Principles

The PA under President Abbas has made a solid shift to non-violent resistance against the Israeli occupation, however, without the backing of Hamas and with no progress in peace talks or change in daily realities under Israeli occupation, has faced disillusionment from much of the Palestinian public. Hamas, which rules unopposed in Gaza, appears to still favour violent resistance and fails to make a distinction between civilian and combatant, which is supposed to be established on the basis of whether the person is directly engaged in hostilities. Although the State of Palestine has become recognized by 138 nations and since 2012 is a non-member UN observer state, it lacks control over its territory. The Palestinian Authority (PA) has limited control in Areas A and B and has not held national elections since 2006. The principal solution supported by the international community continues to be the establishment of the Palestinian state beside the state of Israel. As noted in the EU/Palestinian Authority Action Plan; ‘Achieving Palestinian statehood requires full implementation of the Quartet Roadmap and an end to violence in order to reach a fair and lasting peace in the Middle East, on the basis of the relevant UN Security Council Resolutions, and allowing for the establishment of an independent, viable, sovereign and contiguous Palestinian state, living side by side with the state of Israel in peace and security’ (PA Action Plan 2005). However, with no political talks and progress, the focus has been humanitarian aid, technical assistance and de facto freezing of the status quo.

The status quo, however, is unbearable for Palestinian civilians and unworkable for effective local policing. Area A of the West Bank is



broken into 7 urban enclaves, surrounded by Areas B and C, in which the Palestinian police have no mandate. A significant hindrance for the Palestinian police is not being able to operate outside of Area A, leaving Palestinian civilians without any police. The Israeli soldiers, not speaking the local language and having the reputation of a brutal enemy, even under best intentions, do not have the mandate, training or the capacity to deal with Palestinian civilians. As already discussed, a system of apartheid has become institutionalized where Israeli citizens including those who are living illegally in Jewish settlements on occupied land have access to all services including policing, while Palestinian civilians have no right to services or protection.

Some areas under dual authority are even more problematic. Although most cities in the West Bank are in Area A under PA, the city of Hebron has been split into two sectors: H1 is controlled by the Palestinian Authority and H2—which includes the Old City of Hebron—has remained under the military control of Israel. In the area of H2, settler violence and the failure to enforce the law against those who have committed violence have been regarded as the major reason for the departure of an estimated 43 percent of Palestinians residents of Hebron's old city (More 2008). Migration of the population of an occupied territory as a result of threatened or real violence can be equated to 'a slow process of ethnic cleansing or population transfer which is prohibited by International law' (More 2008).

As noted by Lieutenant Colonel Jan Kristensen: 'The activity of the settlers and the army in the H-2 area of Hebron is creating an irreversible situation. In a sense, cleansing is being carried out. In other words, if the situation continues for another few years, the result will be that no Palestinians will remain there. It is a miracle they have managed to remain there until now' (More 2008, p. 49). There is very little that can be accomplished by the West Bank Palestinian police or security forces, which are not allowed to operate in the Israeli-controlled areas. Ramadan Awad, chief of the Palestinian police in Hebron, noted that: "We have succeeded in some areas but being prevented from working in the (Israeli-controlled) area has been a major obstacle" (Daraghmeh

2015). Hebron is a microcosm of a composite reality of two populations that are only nominally separated, and as such, is a model that arouses concern (Baruch 2019).

Under international guidance and funding, the PA has become technically more professionalized but its principles and priorities have not been focused on the protection of the Palestinian civilian population. Disarmament and security campaigns were conducted to enforce law and order, collect illegal arms, rebuild the security sector's physical infrastructure and draft strategic plans for the sector (Tartir 2015, p. 12). The technical solutions have not impacted the daily realities of the Palestinians. Under the military occupation which is ruled by discriminatory rules under the state of emergency. "The constant state of emergency within Israel and the security legislation in the West Bank are the sources of authority that permit the production of exceptions within the law" (Berda 2018, p. 113). Military decrees declare threats, create closed military zones and launch security actions and restrictions which affect Palestinian lives daily. As noted by Yael Berda; 'the entire permit regime is predicated on the justification that monitoring movement is the key to preventing terrorist attacks in Israel' (Berda 2018, p. 45).

The principles of security and protection of civilians are not any less complicated in Gaza. The current notion is that responsibility to protect civilians in Gaza is shared between Israel as the occupying power, Palestinian Authority (PA), and Hamas, which runs the de facto government. The triangle of authority means that while the different authorities point fingers at opposing sides for infringements on human rights and war crimes, no national authority can be seen as protecting the most vulnerable population. In its 2017 Document of General Principles and Policies, Hamas notes that 'it is a Palestinian Islamic national liberation and resistance movement. Its goal is to liberate Palestine and confront the Zionist project. Its frame of reference is Islam, which determines its principles, objectives and means' (Hamas 2017). Hamas 'considers the Balfour Declaration, the British Mandate Document, the UN Palestine Partition Resolution', and whatever resolutions and measures that derive from them, 'null and void' (Hamas 2017). Hamas continues to support violent as well as non-violent resistance. However, its more recent principles outline 'managing resistance' and 'diversifying the means and

methods'. Hamas affirmed that its 'conflict is with the Zionist project not with the Jews because of their religion. Hamas does not wage a struggle against the Jews because they are Jewish but wages a struggle against the Zionists who occupy Palestine' (Hamas 2017).

Hamas leadership has shifted some of its rhetoric towards making a distinction between Israeli combatants and non-combatants, and claims it does not target civilians but its weapons and tools are not sophisticated enough to target soldiers. In Gaza, policing goes hand in hand with religion. 'From the perspective of the Hanieh government, its promotion of professional policing, on the one hand, and Hamas's use of the security sector to spearhead the Islamization of society, on the other, reflect distinct but complementary notions of the relationship between policing and the social order, rather than defining a harsh dichotomy between them' (Sayigh 2011, p. 27).

The IDF targeting of officials affiliated to Hamas in Gaza has been part of international investigation. The commission that investigated the 2014 conflict underlined that the mere fact of being a member of the political wing of Hamas or any other organization in Gaza is not sufficient in and of itself to render a person a legitimate military target. 'While the IDF indicated that it did not target Hamas lawmakers, politicians or law-enforcement officials because of their affiliation with Hamas, but only individuals who directly participate in hostilities or are members of organized armed groups, under international humanitarian law, a member of an armed group has to have a continuous combat function to constitute a legitimate military target' (HRC Report 2015).

In 2019, the International Commission for Human Rights (ICHR) pointed to lack of accountability for serious violations by security forces in West Bank and Gaza. In 2017, the ICHR received 2656 complaints, 1551 from the West Bank and 1105 from Gaza, 72% of which pertained to the security services (Human Rights Council 2019, p. 220). In the West Bank, the Office of the Military Prosecution is responsible for investigating and prosecuting crimes committed by members of the security forces. A 2018 judicial backing was given to the Palestinian authorities to consider the police in the West Bank as a military institution rather than a civilian one. As a consequence, police officers accused

of violations can only be tried in military courts, making it more difficult for alleged victims of police abuse to access justice (Human Rights Council 2019). Playing a similar role in Gaza, the Military Prosecution there told the ICHR that in all of 2016 not a single security force member had been held criminally accountable (Human Rights Council 2019).

## Practice

Although physically separated by walls and fences, violent incidents and demonstrations and other events in Gaza, West Bank and within Israel impact on each other and can escalate the conflict. The May 2021 escalation is a good example of the way in which events in the West Bank impacted on the violence in Gaza and vice versa. The crisis was triggered over Israel's Supreme Court's decision on the eviction of six Palestinian families in the East Jerusalem neighbourhood of Sheikh Jarrah, and Israeli police storming of the compound of the al-Aqsa Mosque, which led to widespread protests. On May 10th, Hamas gave Israel an ultimatum to withdraw its security forces from both the Temple Mount complex and Sheikh Jarrah. When the ultimatum expired without a response, both Hamas and Palestinian Islamic Jihad movement PIJ launched rockets from the Gaza Strip into Israel, which resulted in Israeli retaliation. The May 2022 Israeli bombardment of the Gaza Strip that lasted 11 days killed at least 257 Palestinians, including 66 children (OCHA 2021). Thirteen people were killed in Israel, including two children. The Israeli bombardment also destroyed 1,148 housing and commercial units in Gaza and partially damaged 15,000 others, leaving more than 100,000 civilians displaced in UN-run schools and other hosting communities (OCHA 2021). The bombing campaign in Gaza triggered an unprecedented wave of unrest of exceptional intensity in Israel most notably within the mixed Jewish–Arab cities.

Ongoing policies of apartheid, ethnic cleansing in East Jerusalem and desecration of holy sites in Jerusalem and the West Bank have resulted in threatening reaction from Hamas from Gaza, whereas shootings or

bombardments of civilians in Gaza have led to civilian uproars and lone-wolf incidents in the West Bank and within Israel. As noted by Kershner ‘not even during the intifadas, the mass Palestinian uprisings of the past, did Israel experience such a surge of both Arab and Jewish mob violence’ (Kershner 2021). While Palestinians do experience such violence on a regular basis, this type of violence, which included Molotov cocktails, lynching and shootings by Arab and Jewish extreme groups, is new for the mixed cities within Israel (Kershner 2021). For Palestinians, there are severe repercussions for non-violent resistance that can be as high as for violent resistance. This could entail harassment, prison, loss of one’s employment, freedom of movement, demolition of home, intimidation or death. Security officials in the West Bank generally remain silent or are sent to put down Palestinian protests as they are under tight control of the PA, which is dependent on external funding. As noted by critics, the Palestinian security forces ‘remained, in essence, an externally-controlled process, driven by the national security interests of Israel and the United States, and characterised by very limited ownership on the part of Palestinian society’ (Tartir 2015, p. 9).

Violence from Jewish Settlements is another area of daily problems. The term ‘price tag’ is meant to threaten Palestinians with violence or harassment as the price extracted from Palestinians from actions that are perceived as harming settlers or the settlement enterprise. ‘Price tag attacks have included vandalism of property, arson, uprooting of olive trees, and physical violence towards Palestinians, which is often accompanied by Hebrew graffiti with the words: "Price tag"' (Just Vision, 2022). Palestinian police are far removed from Jewish settlements as they are not allowed to function outside of Area A, and settlers do not enter Area A. Several areas, including Palestinian suburbs of Jerusalem, are cut off from Area A and have functioned without any policing. Abu Dis, Azariyeh, Ram and Biddou and other suburbs of Jerusalem fall outside the jurisdiction of the Israeli and Palestinian police, ‘leaving a vacuum that drew car thieves and drug dealers’ (Daraghmeh 2015). In 2015, Palestinian armed police were brought back as unruly violence, commonly linked to drugs, was beginning to spill into Israel. “We want people to get used to seeing the police uniform first, and then we will start cleaning up troubles,” police spokesman Loay Irzekat said. “We will start with drugs because

it's the most urgent problem" (Daraghmeh 2015). Palestinian police have managed to calm situations when they have been permitted to police as opposed to the use of Israeli military, which commonly escalates the situation.

A similar situation has been occurring within Area C, which has had no Palestinian police presence, such that when Palestinian residents face criminal or other problems they report them to the Palestinian police in Areas A or B, who require special permission from the Israeli military to enter Area C. In 2018, a first Palestinian mobile police station began to operate in Area C towns during the day "to receive citizens' complaints and resolve disputes between them" (Jalal 2018). Palestinian officers with the mobile police station can handle all kinds of incidents including family disputes, violent crimes and drug trafficking (Jalal 2018).

Monitoring the situation in Hebron, the Temporary International Presence in Hebron (TIPH) issued a confidential report covering their 20 years of operation. The report, based in part on over 40,000 incident reports, found that Israel routinely violates international law in Hebron and that it is in "severe and regular breach" of the rights to non-discrimination laid out in the International Covenant on Civil and Political Rights over the lack of freedom to movement for the Palestinian residents of Hebron (UNDP/PAPP/EUCOPPS 2015). Although the TIPH would not perform any military or police functions and would not interfere in incidents, they did contribute towards a feeling of security among Palestinians in Hebron.

PA security also commonly targets opposition. The Euro-Mediterranean Human Rights Monitor documented 1,274 arbitrary detentions in the West Bank in 2015 and 1,089 summonses by PA's Palestinian Security Services. The human rights violations targeted mostly individuals affiliated with Hamas or who opposed PA policies, including about 35 journalists and human rights activists, 476 university students, and 67 teachers/professors (Euro-Med 2016).

The ongoing escalations between Israel and Palestinian militant groups, most notably Hamas in Gaza, have led to the highest number of civilian casualties among the Palestinian population living in Gaza. Rocket attacks from Gaza, breaches of militants through tunnels, kite firebombs and attacks against Israeli civilians have been used to justify

hard military responses by Israeli forces including devastating bombardment campaigns. With a population of 1.8 million, Gaza is one of the most densely populated areas of the world, with limited law and order, cut off from the outside world and almost entirely dependent on foreign aid. Whether Gaza is perceived as an occupied territory or as part of an independent state of Palestine, no national authority is currently providing protection for the population of Gaza. Cycles of violence, including Israeli bombardment campaigns and incursions into Gaza, have affected the majority of the population that has nowhere to flee. Economic blockades, severe fuel and water shortages, and Israeli restrictions on many items including basic construction materials have left much of the population vulnerable to not only violence but also natural elements.

Israel and Hamas have fought four severely violent escalations in 2008, 2012, 2014 and 2021, which are commonly in Israel referred to as mowing the grass. Beyond targeting senior Hamas leadership and military infrastructure, the range of targets have included mosques, schools, hospitals, civilian infrastructure, houses, factories, administrative buildings, farmland, water wells, fishing boats, greenhouses, water and sanitation infrastructure and international press agencies. As noted by Kear 'these wars are delicate balancing acts whereby Israel seeks to repress Hamas by degrading and/or destroying its military, economic, and political infrastructure, while remaining careful not to crush Hamas completely thereby creating an unstable power vacuum' (Kear 2022).

Civilians living in Gaza not only endure indiscriminate bombardment campaigns and ongoing human rights abuses by both Hamas and Israel, but also live without basic needs, including fuel and water. The United Nations Special Rapporteur on human rights in the Palestinian Territories noted that with the economy in free fall, 70 percent youth unemployment, widely contaminated drinking water and a collapsed health care system, Gaza has become "unliveable", 'insisting that all parties — particularly Israel — bring an end to "this disaster"' (UN Special Rapporteur, 2018). Hamas authority has contributed to the lack of security and protection. During the 2014 Gaza war, armed groups including Hamas fired from built-up areas and prevented civilians from evacuating (HRC Report 2015).

For Hamas and Islamic Jihad, the recruitment of youth including children in Gaza, within the West Bank and inside Israel is an ongoing phenomenon. Inside Gaza, Hamas runs mosques, schools, orphanages, summer camps, sports leagues, student unions and cultural activities that are used to socialize young children and youth (Hewitt 2004). Other radical Islamic groups have been linked to NGOs and schools and pictures of martyrs are commonly displayed in schools and other public areas. The Gaza Strip has one of the highest birth rates in the world with almost three-quarters of the population under 30. The majority have never left Gaza and are unable to leave without special permission, which is rarely given.

Another vulnerable segment of Palestinian society is women where there has been limited progress within Area A of the West Bank. Within Israel, the 48—Palestinian women suffer the double burden of discrimination from Israel and from within their own Arab society. A couple of months before being killed by a car explosive, the 28-year-old Johara Khanifs said that she didn't feel safe (Amun, 2022). "There is no one to protect us exposed women, because there is no suitable framework for us within Arab society", said Khanifs. "The government discriminates against us regarding everything connected to the police and the feeling of security. They don't do enough to protect people. There's also discrimination in the budgets for suitable programs" (Arab 48, 2022). Although the situation of women will be elaborated in more detail in Chapter 6, the realities of Palestinian women are far worse in the Occupied Territories, especially within Gaza.

Security and protection is precarious for opposition, minorities, for women and gender minorities and youth. Unlike in the West Bank, there is little attempt to address women's rights or well-being, and the dire situation is compounded by a lack of training of police or the judiciary. International organizations including UN Women do not work with institutions of the de facto Gaza authorities. In Gaza, Palestinian and international NGO's efforts have been limited to offering women legal consultation and assistance under Sharia law, which offers limited protection. Gaza has one of the highest incidents of violence against women in the world (Survey 2011). Homosexuality in Gaza remains illegal and is punishable by death. The police do not act, domestic violence is not



criminalized and the only institutions providing protection on gender issues are civil society organizations, which are also vulnerable to attack (UN Women interview 2016).

## Perceptions and Justifications on Lack of Protection

There are wide differences between the perceptions of the Palestinian population of their own safety and security depending on their location and the various security providers. Within the West Bank, Palestinian residents in isolated Jerusalem neighbourhoods and H2 (Hebron) feel least secure, followed by residents of Area C and Area B. In December 2016, perception of insecurity was 86 percent in isolated Jerusalem neighbourhoods with only 13 percent feeling secure, while in the H2 areas of Hebron 81% of the population felt insecure and unsafe. Feeling most secure were Palestinian residents in Area A where 64 percent of the population felt secure and Area B where 52 percent felt safe and secure. In Area C, 63 percent of the Palestinian residents did not feel secure noting that the majority of the security threats were related to the occupation. Indeed, in Area A only 21 percent of the security threats were related to the occupation while outside of Area A 55 percent of security threats were not related to the occupation.

For Palestinians living in Area A of the West Bank, it is the Palestinian Civil Police (PCP) who most contribute to their sense of safety'. 'On average, 64% of service users are satisfied with all aspects of service provision explored, with the clear exception of the ability of the PCP to access Area C and communities behind the wall' (UNDP/PAPP/EUCOPPS 2015, p. 6). The 2014 survey of 4,209 Palestinian households found that the Israeli occupation is considered by nine out of ten members of the public as the most important challenge facing the PCP, while the lack of resources, inadequate training and lack of clarity surrounding the division of responsibilities between the PCP and other security services and within the PCP itself are seen as lower-level problems (UNDP/PAPP/EUCOPPS 2015). As noted in the survey of the West Bank residents, 'For almost all Palestinians, the PCP is clearly seen as the

legitimate address for issues of public safety and security, with 91.6% of Palestinians saying that they would contact the PCP if they feel in danger, suggesting that for most people, the PCP plays a very significant role in providing their sense of security and safety' (UNDP/PAPP/EUCOPPS 2015, p. 7).

Confidence in the Palestinian security services outside of the police is very low. In 2007, confidence in preventive security stood at 33%, general intelligence 34%, executive force 35%, presidential guard 37% and the national security forces 48% (PSR 2007). Palestinian armed groups had higher or similar rates of confidence, with Qassam Brigades at 45% and the al-Aqsa Brigades with 50% confidence ratings (PSR 2007). At the time, the Palestinian Police had the highest positive rating at 58% (PSR 2007). Although the ratings of the Palestinian police have improved in the past ten years, frustrations remain in areas outside of Area A. The majority of Palestinians surveyed indicate that they have confidence in various aspects of Palestinian police work. For example, 75% think it is professional; 74% think it is qualified to do its work; 75% think it implements court decisions; 65% think it responds to complaints within a reasonable time; and 61% think it has the capacity to enforce law and order in their place of residence. Confidence stands at 70% in Area B, but it declines to 47% in Area C and to 25% in the isolated Jerusalem neighbourhoods and 21% in H2 in Hebron (PSR 2017). The majority of Palestinians in the West Bank and Gaza Strip also oppose security coordination with Israel. Indeed, the majority of Palestinians view the security cooperation with Israel as something negative and two-thirds (64%) would like the PA to end it (Lisiecka 2017).

Perception of safety is harder to gauge in Gaza. Although the Palestinian Centre for Policy and Survey Research (PSR) surveyed the perception of safety and security in the Gaza Strip at 79%, it is difficult to say to what extent all residents feel safe to respond truthfully (PSR 2021). Still, the same survey noted the response of the evaluation of 'conditions in the Gaza Strip' is at 5%, which implies that the perception of security under Hamas policing is many times higher than the perception of other conditions within Gaza. Also, the provision of security has for Hamas been a core strategic priority. As noted by Berti, Hamas 'used the provision of security as a key tool to boost both its power and its political legitimacy

(Berti 2016). However, this brings back the question of whose security as opposition, minorities as well as women have been intimidated, harassed and attacked. The survey above also did not note the number of female respondents and clearly anyone who is LGBTQ would also not feel safe given that in Gaza being gay is a death sentence. In both Gaza and the West Bank, Palestinian authorities have routinely failed to hold security forces accountable for carrying out arbitrary arrests, using excessive force or torture against detainees (Human Rights 2018).

The double standards for Jews and Palestinians can be found within Israel as well as in Occupied Palestinian Territories. Israeli Joint List chief Ayman Odeh remarked: “Fight criminals, not democracy. The sole responsibility for law enforcement among civilians is the police, not intelligence agencies and the military... The last thing we need is more of the same attitude: police for Jews and Shin Bet for Arabs” (Spiro, 2022). Former Palestinian information minister Mustafa Barghouti pointed to contradictions by the international community including sanctions and the international criminal court. “We have been providing information for the past 13 years but investigation has not been started yet. And in less than two months the ICC has sent 42 investigators to Ukraine” (Al Jazeera Staff 2022). Barghouti noted that ‘Palestinians will never accept to be the slaves of the system of apartheid’ (Aljazeera interview, May 2022). Frustrated by lack of political progress and accountability, the majority of Palestinians believe armed struggle is more effective than negotiations in ending the Israeli occupation (PSR 2021).

## Conclusion

The limited public trust in national institutions including the Palestinian security sector has made the Palestinian population even more vulnerable. Some Palestinian policy advisors have called for defunding of the Palestinian police and security forces. As noted by Shabaka’s senior analyst, Yara Hawari, ‘it is clear that across colonized Palestine, both the Israeli and Palestinian policing and state justice institutions are damaging Palestinian communities, despite their claims to the contrary. By increasing surveillance and reinforcing existing harmful structures,

they have confirmed that these institutional and colonial spaces cannot offer accountability and justice' (Hawari 2021). Hawari recommends that Palestinian CSOs and civil society 'should advocate for and support policies that shrink the police and carceral systems across colonized Palestine, including calling for defunding police and security forces and "EUPOL COPPS should end its collaboration with Palestinian security forces and prioritize funding alternative and transformative justice initiatives' (Hawari 2021).

Subsequent to the recent *Black Lives Matter* movement, removing funds from police departments and reallocating them to non-policing forms of public safety including community and social services, youth services, housing, education, healthcare and other community services has become a popular international demand. Although seemingly radical at first glance, community policing has become a more welcome and effective system of public safety. It's also unrealistic to expect people not to resist, at the very least not to demonstrate, if they are living under a system of institutional discrimination that can only be described as apartheid. Extrajudicial killings, disproportionate military engagement, collective punishment, ethnic cleansing and war atrocities have all served to highlight the importance of resistance and popularize the extremists. Other than economic incentives to cooperating Palestinians inside the West Bank that have only encouraged corruption, Israel has done little to contribute towards the protection of Palestinian civilians. Its strong crackdown on non-violent demonstrations and BDS supporters has also for some youth narrowed the difference between the consequences of violent versus non-violent resistance.

Outside of the performance of the Palestinian police within Area A of the West Bank, the current security regime under the Palestinian Authority is contradictory and problematic, adding to the number of Palestinian civilians at risk. Though intended to weaken Hamas, PA cooperation with Israel on security matters has only undermined PA authority and boosted the popularity of Hamas. The cooperation has come at the detriment of the safety of Palestinian civilians and violent means have been used against political opposition. Corruption and opportunism have come at the expense of security and the well-being of Palestinian civilians, in particularly the youth. Hamas has managed

to consolidate its control over the Gaza Strip, launch terrorist attacks in the West Bank and Israel and retain its popularity. Ongoing escalations between Israel and Palestinian militant groups, most notably Hamas in Gaza, have led to highest number of civilian casualties among the Palestinian population as well as within Israel since the second intifada. Incidents in Jerusalem or Gaza have led to incidents within West Bank and Israel and vice versa. Given today's technology and tools, the borders, walls and fences do not prevent either communication or terrorist attacks. The only solution to security and safety is political negotiation and a final settlement, which without serious international intervention, is far into the future. The formation of Palestinian unity would also be the most powerful factor that would have an impact on the potential for transformation.

## References

- Akram, Fares. 2021. Hamas Court Says Women Need Guardian's Approval to Travel. <https://apnews.com/article/travel-middle-east-womens-rights-israel-gaza-strip-acc6bdb0383b43d5c13af594374ada88>. Accessed June 16, 2022.
- Al Jazeera* Staff. 2022. Why Is Al Jazeera taking killed journalist case to the ICC?, May 27. <https://www.aljazeera.com/news/2022/5/27/explainer-al-jazeeras-abu-akleh-case-at-the-icc>. Accessed June 10, 2022.
- Al-Omari, Ghaith. 2016. Limiting Incursions in Area A: The Next Step for Israeli-Palestinian Security Coordination. *The Washington Institute for Middle East Policy*, <https://www.washingtoninstitute.org/policy-analysis/limiting-incursions-area-next-step-israeli-palestinian-security-coordination>.
- Amnesty International. 2009. Operation Cast Lead: 22 Days of Death and Destruction. *Amnesty International*, MDE 15/015/2009.
- Amnesty International. 2018. State of Palestine: Stop excessive use of force, arbitrary detention and torture against peaceful demonstrators' <https://www.amnesty.org/en/documents/mde21/8656/2018/en/>. Accessed June 10, 2022.

- Amnesty International. 2022. Israel's Apartheid Against Palestinians: Cruel System of Domination against Palestinians. <https://www.amnesty.org/en/wp-content/uploads/2022/02/MDE1551412022ENGLISH.pdf>. Accessed June 18, 2022.
- Amun, Fadi, Deiaa Haj Yahia, and Adi Hashmonai. 2022. Daughter of Israeli Arab Deputy Mayor Killed by Explosive Device. *Haaretz*, <https://www.haaretz.com/israel-news/2022-06-08/ty-article/.highlight/daughter-of-deputy-mayor-of-northern-israel-arab-town-killed-by-explosive-device/00000181-4185-dada-a9a7-ff95427d0000>. Accessed March 14, 2023.
- Baruch, Pnina Sharvit, and Lior Zur. 2019. The Temporary International Presence in Hebron (TIPH): Israel's Decision to End the Mandate. *Institute for National Security Studies*. No. 1140.
- Bellamy, Alex J. The Three Pillars of Responsibility to Protect. <http://www.cries.org/wpcontent/uploads/2015/09/006-bellamy.pdf>.
- Bellamy, Alex J. 2016. The Humanization of Security? Towards and International Human Protection Regime. *European Journal of International Security* 1/1: 112–133.
- Berti, Benedetta, and Beatriz Gutierrez. 2016. Rebel-to-Political and Back? Hamas as a Security Provider in Gaza Between Rebellion, Politics and Governance. *Democratization* 23 (6): 1059–1076.
- Berda, Yael. 2018. *Living Emergency; Israel's Permit Regime in the Occupied West Bank*. Stanford University Press.
- Bob, Yonah Jeremy. 2014. Palestinian Forces Bust Terror Cell Looking to Attack Jewish-Israelis. *Jerusalem Post*. <https://www.jpost.com/National-News/Palestinian-security-forces-turn-over-terror-cell-to-Israeli-courts-351509>. Accessed June 9, 2022.
- Brooks, Geraldine. 2017. The Dovekeeper and the Children's Intifada. *The New Yorker*, May 27. <https://www.newyorker.com/books/page-turner/the-dovekeeper-and-the-childrens-intifada>.
- B'TSelem. 2021. A Regime of Jewish Supremacy from the Jordan River to the Mediterranean Sea: This Is Apartheid, <https://www.btselem.org/apartheid> Accessed June 26, 2021.
- B'Tselem. 2022. Area C. [https://www.btselem.org/topic/area\\_c](https://www.btselem.org/topic/area_c). Accessed July 9, 2022.
- Checkel, Jeffrey T. 2017. Socialization and Violence: Introduction and Framework. *Journal of Peace Research* 54: 5592–605.

- Ciralsky, Adam. 2014. Interview: Hamas's Khalid Marshal on the Gaza War, Tunnels and ISIS. *Vanity Fair*. <https://www.vanityfair.com/news/politics/2014/10/khalid-mishal-hamas-interview?fbclid=IwAR0fT1IkGdy0bxZy0CN9TckMk34Ob8KFYNSe56CUR9vDsx4aQPJswbzsDw>.
- Cohen, Shimon. 2018. The Solution to Gaza: 'A Bullet to the Head'. *Arutz Sheva*, June 6. <http://www.israelnationalnews.com/News/News.aspx/247034>
- Daraghmeh, Mohammed. 2015. Palestinian Police Now in Jerusalem Suburbs After Israel Ban. *AP News* <https://apnews.com/article/middle-east-jerusalem-israel-crime-west-bank-22d80ca7b018496a901ad554831f370d>. Accessed June 21, 2022.
- Dodeen, Mahmoud M. 2019. The Challenge of the Enforcement of the Rule of Law and Governance in Palestine: The Tribal Justice System and the Rule of Power. *The Journal of Social Sciences Research* 5 (10): 1455–1462.
- ECFR Mapping (European Council on Foreign Relations). Mapping Palestinian Politics. [https://ecfr.eu/special/mapping\\_palestinian\\_politics/introduction\\_security\\_forces/](https://ecfr.eu/special/mapping_palestinian_politics/introduction_security_forces/). Accessed April 16, 2022.
- EUPol Copps. 2023. European Union Police and Rule of Law Mission for the Palestinian Territory. <https://eupolcopps.eu/page/mission/en>. Accessed March 6, 2023.
- Euro-Med. 2016. Euro-Mediterranean Human Rights Monitor 'New Report Documents Abusive Detentions by Both PA and Hamas to Stifle Freedom of Expression'. <https://www.euromedmonitor.org/en/article/1142/New-report-documents-abusive-detentions-by-both-PA-and-Hamas-to-stifle-freedom-of-expression>. Accessed March 1, 2023.
- Frantzman, Seth J. 2021. What Do We Know About the Number of Rockets Fired at Israel? *Jerusalem Post* <https://www.jpost.com/arab-israeli-conflict/what-do-we-know-about-the-number-of-rockets-fired-at-israel-668339>. Accessed July 6, 2022.
- Jackson, Bryan, Peter Chalk, Kim R. Cragin, Bruce Oliver, and John V. 2017. Parachini 'Palestinian Terrorist Groups' in 'Breaching the Fortress Wall: Understanding Terrorist Efforts to Overcome Defensive Technologies. [https://doi.org/10.7249/mg481dhs.10.pdf?refreqid=excelsior%3A0a91d67e0baf79ccfd314b7a3dcb2294&tab\\_segments=&origin=&acceptTC=1](https://doi.org/10.7249/mg481dhs.10.pdf?refreqid=excelsior%3A0a91d67e0baf79ccfd314b7a3dcb2294&tab_segments=&origin=&acceptTC=1). Accessed July 5, 2022.
- Jalal, Rasha Abou. 2018. Mobile Palestinian Police Unit Begins Work in Area C. *Al Monitor* <https://www.al-monitor.com/originals/2018/08/palestine-mobile-police-station-hebron-area-c.html>. Accessed July 11, 2022.

- Hamas. 2017. A Document of General Principles and Policies. <https://hamas.ps/en/post/678/A-Document-of-General-Principles-and-Policies>. Accessed June 19, 2022.
- Hawari, Yara. 2021. Community Accountability in Palestine: An Alternative to Policing. *Al Shabaka*. <https://al-shabaka.org/briefs/community-accountability-in-palestine-an-alternative-to-policing/>. Accessed November 26, 2022.
- Human Rights Council. 2019. Report of the Detailed Findings of the Independent International Commission of Inquiry on the Protests in the Occupied Palestinian Territory. A/HRC/40/CRP .2.
- Human Rights Watch. 2018. Two Authorities, One Way, Zero Dissent: Arbitrary Arrest and Torture Under the Palestinian Authority and Hamas. <https://www.hrw.org/report/2018/10/23/two-authorities-one-way-zero-dissent/arbitrary-arrest-and-torture-under>.
- Kear, Martin. 2022. 'Questioning the Moderation Dichotomy: Understanding Hamas's Evolving Moderation. *Democratization*'. <https://doi.org/10.1080/13510347.2022.2065260>.
- Kershner, Isabel. 2021. In Mixed Israel Cities Proud of Good Relations, a Sudden, Explosive Division. *The New York Times* <https://www.nytimes.com/2021/05/13/world/asia/israel-lod-arab-jewish.html>. Accessed July 11, 2022.
- Levy, Elinor. 2016. The Many Layers of the Palestinian Security Forces. *Ynetnews* <https://www.ynetnews.com/articles/0,7340,L-4795909,00.html>.
- Lisiecka, Julia. 2017. Israeli-Palestinian Security Cooperation: What Next? *European Union Institute for Security Studies (EUISS)* [https://www.iss.europa.eu/sites/default/files/EUISSFiles/Alert\\_12\\_Israel\\_and\\_Palestine.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Alert_12_Israel_and_Palestine.pdf). Accessed June 7, 2022.
- Matt Hewitt. 2004. From Cradle to the Grave. *Middle East Quarterly* (Winter): 3–15.
- MEMO—Middle East Monitor. 2022. Palestinian Authority Disrupting Trial of Nizar Banat's Killers: Family. <https://www.middleeastmonitor.com/20220327-palestinian-authority-disrupting-trial-of-nizar-banats-killers-family/>. Accessed June 9, 2022.
- Memry TV. 2022. Hamas Gaza Leader Yahya Sinwar: We Will Desecrate Synagogues..., April 20. <https://www.memri.org/tv/hamas-leader-gaza-yahya-sinwar-defend-aqsa-opening-salvo-lone-wolf-attacks-prepare-guns-knives>. Accessed July 9, 2022.
- Le Moore, Anne. 2008. *International Assistance to the Palestinians after Oslo: Political Guilt*. Wasted Money London and New York: Routledge.



- Nafstad, Ida. 2018. International and Local Visions of the Justice and Security Sector in the West Bank. *International Journal for Crime, Justice and Social Democracy* 7 (1): 108–122. <https://doi.org/10.5204/ijcjsd.v7i1.400>.
- OCHA ‘Occupied Palestinian Territory (oPt): Response to the escalation in the OPT Situation Report No. 1: 21–27 May 2021.
- OHCHR - Report. 2020. Report on the Violence Against Women and Girls during COVID-19 in the State of Palestine.
- PA Action Plan. 2005. EU/ Palestinian Authority Action Plan. <https://www.un.org/unispal/document/auto-insert-197727/>. Accessed June 19, 2022.
- Palestinian Police. 2017. Major General Hazem Attallah Opens a Unified Service Center for Women Survivors of Domestic Violence in Palestine. <https://www.palpolice.ps/en/specialized-departments/374931.html>. Accessed July 5, 2022.
- Pelham, Nicolas. 2010a. Ideology and Practice: The Legal System in Gaza under Hamas.
- Pelham, Nicolas. 2010b. Ideology and Practice in the Legal System in Gaza Under Hamas. Unpublished, [https://www.boell.org/sites/default/files/assets/boell.de/images/download\\_de/Dossier\\_Palaestine\\_Session4\\_Conference\\_Paper\\_conclusion\\_Nicolas\\_Pelham\\_09032010b.pdf](https://www.boell.org/sites/default/files/assets/boell.de/images/download_de/Dossier_Palaestine_Session4_Conference_Paper_conclusion_Nicolas_Pelham_09032010b.pdf). Accessed July 7, 2022.
- Perry, Mark. 2011. Dayton’s Mission: A Reader’s Guide Mark Perry Explains What The Palestine Papers Reveal About Gen. Keith Dayton’s Training Mission in the West Bank. <https://www.aljazeera.com/news/2011/1/25/daytons-mission-a-readers-guide>. Accessed June 4, 2022.
- PSR Palestinian Center for Policy and Survey Research. 2021. Public Opinion Poll No (82). <https://pcpsr.org/sites/default/files/Poll%2082%20English%20full%20text%20DEC2021.pdf>. Accessed June, 14, 2022.
- PSR Palestinian Center for Policy and Survey Research. 2017. Who Needs Security? <http://www.pcpsr.org/sites/default/files/Security%20in%20B%20and%20C%20areas%20February%202017%20ENGLISH.pdf>. Accessed June, 14, 2022.
- PSR Palestinian Center for Policy and Survey Research. 2007. Public Opinion Poll No (24). <https://pcpsr.org/sites/default/files/Poll%2082%20English%20full%20text%20DEC2021.pdf>. Accessed July 11, 2022.
- Robinson, G.E. 2003. *‘Hamas as a Social Movement’ in Islamic Activism: A Social Movement Theory Approach edit*. Quintan Wiktorowicz: Indiana University Press.
- Sayigh, Yezid. 2011. “We Serve the People” Hamas Policing in Gaza. *Crown Center for Middle East Studies*. <https://www.brandeis.net/crown/publications/papers/pdfs/cp5.pdf>, Accessed June 19th, 2022.

- Shabak. 2015. Hamas Police 'Dual Function' in the Gaza Strip. [https://www.shabak.gov.il/SiteCollectionImages/תוריקס%20מיוסרפיו2015/terror-portal/docs/english/Hamas\\_DualFunction\\_en.pdf](https://www.shabak.gov.il/SiteCollectionImages/תוריקס%20מיוסרפיו2015/terror-portal/docs/english/Hamas_DualFunction_en.pdf). Accessed July 6, 2022.
- Sneineh, Mustafa Abu. 2021. Who was Nizar Banat, the Outspoken Critic Who Died in Palestinian Authority Custody? *Middle East Eye*, <https://www.middleeasteye.net/news/palestine-nizar-banat-who-critic-palestinian-authority>. Accessed June 28, 2021.
- Spiro, Amy and Aaron Boxeman. 2022. IDF, Shin Bet will Aid Illegal Weapons Crackdown in Arab Towns, Ministers Decide. *Times of Israel*, <https://www.timesofisrael.com/idfshin-bet-will-aid-illegal-weapons-crackdown-in-arab-towns-ministers-decide/>. Accessed March 14, 2023.
- Tartir, Alaa. 2015. The Evolution and Reform of Palestinian Security Forces 1993–2013. *Stability: International Journal of Security & Development* 4 (1). <https://stabilityjournal.org/articles/10.5334/sta.gi>
- Tartir, Alaa. 2017. The Palestinian Authority Security Forces: Whose Security. *Al Shabaka* [https://d1wqtxts1xzle7.cloudfront.net/53145662/Tartir\\_PolicyBrief\\_Eng\\_May2017\\_2-with-cover-page-v2.pdf?Expires=1654814421&Signature=Ux9urwwSgjahk8LzCLR3IHM-pxJ-vZCaEvmxuHASyvcnjpgZIQdgZwUwCjAMfHJgJqnZ6uN6jy-rBU8-Ezg-8sG48TbZLGqP0enO3qEIJAh-MGMjyMb-hRIob2-kiAtXcqmq7cJjtml-k4SbNthWquiLMCTs-zovbSMPGkP0Tfe-HLBxhev26od5dyv18YL47LuQKj4U0o-QC7VXrLYi6O3SXhqrA3g8BP3KfZ7ZmRXsbn-IOvLX7D6sQDallJaB2XkMDfWARhmIIB6Ny3QedWNkKYZ89jhRZEjmvOxiR-JrViSueKD7KK8MtXYB0M5cUi7eaU9c0y-a6U67II90EA\\_\\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA](https://d1wqtxts1xzle7.cloudfront.net/53145662/Tartir_PolicyBrief_Eng_May2017_2-with-cover-page-v2.pdf?Expires=1654814421&Signature=Ux9urwwSgjahk8LzCLR3IHM-pxJ-vZCaEvmxuHASyvcnjpgZIQdgZwUwCjAMfHJgJqnZ6uN6jy-rBU8-Ezg-8sG48TbZLGqP0enO3qEIJAh-MGMjyMb-hRIob2-kiAtXcqmq7cJjtml-k4SbNthWquiLMCTs-zovbSMPGkP0Tfe-HLBxhev26od5dyv18YL47LuQKj4U0o-QC7VXrLYi6O3SXhqrA3g8BP3KfZ7ZmRXsbn-IOvLX7D6sQDallJaB2XkMDfWARhmIIB6Ny3QedWNkKYZ89jhRZEjmvOxiR-JrViSueKD7KK8MtXYB0M5cUi7eaU9c0y-a6U67II90EA__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA). Accessed June 9, 2022.
- Times of Israel. 2021. Police Minister Says IDF Will Play No Role in Fighting Arab Community Violence, October 4. <https://www.timesofisrael.com/police-minister-says-idf-has-no-role-in-fighting-arab-community-violence/>. Accessed June 20, 2022.
- UNDP/PAPP/EUCOPPS. 2015. Public Perceptions of Palestinian Civil Police Performance. UN Human Rights Council, A/HRC/29/52.
- UN News. 2022. 'Middle East: 'No Justification' for Terrorism or Violence Against Civilians, Security Council Hears. <https://news.un.org/en/story/2022/04/1116842>. Accessed June 7, 2022.
- UN Report. 2022. Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel. A/77/328. <https://documentsdds-ny.un.org/doc/UNDOC/GEN/N22/591/34/PDF/N2259134.pdf?OpenElement>. Accessed March 6, 2023.

UN Special Rapporteur. 2018. Gaza “Unliveable”, UN Special Rapporteur for the Situation of Human Rights in the OPT Tells Third Committee. <https://www.un.org/unispal/document/gaza-unliveable-un-special-rapporteur-for-the-situation-of-human-rights-in-the-opt-tells-third-committee-press-release-excerpts/>.

UN Women, Personal Interview. 2016. Jerusalem, Israel.

UN Human Rights Council. 2015. Report of the Independent Commission of Inquiry established Pursuant to Human Rights Council Resolution S-21/1. United Nations.

Violence Survey, Palestinian Central Bureau of Statistics. 2011. <http://www.pcbs.gov.ps/PCBS-Metadata-env4.2/index.php/catalog/141>.

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