Statelessness and Insecurity in the Occupied Palestinian Territory

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The situation of human security among Palestinians is as complex and fragmented as the problem and the people. The pages that follow offer only a snapshot of concerns and responses from focus groups and individuals in East Jerusalem, the West Bank and the Gaza Strip. These give voice to some of the daily issues facing a variety of Palestinians. While the Israeli occupation dominates and permeates every aspect of Palestinian life, it is often taken as a given by many of the participants.

"Which security are you talking about? We have forgotten the meaning of this word a long time ago."

Background

The Israeli-Palestinian conflict has been a feature of the global landscape for almost 100 years. For the purpose of this chapter, only a brief timeline of events can be outlined.[b] This chapter only addresses the human security situation of Palestinians in the Occupied Palestinian Territory, and does not include the 1,694 million Palestinians living under direct Israeli rule and with Israeli citizenship in the territories that have been with the State of Israel since 1948, nor does it include the approximately two million Palestinian refugees living in camps in Jordan, the 442,000 in Lebanon and the 499,000 in Syria.[1]

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b   Many accounts of these historical events are contested.

The first Arab-Israeli war in 1948 resulted in the expulsion of more than 700,000 Palestinians.[2] In the subsequent war of 1967, which lasted only six days, Israel seized East Jerusalem and the West Bank from Jordan, Gaza and the Sinai from Egypt and the Golan Heights from Syria. This marked the beginning of Israel's ongoing military occupation of the West Bank and the Gaza Strip, and its unilateral illegal annexation of East Jerusalem. Another war in 1973 failed to change this, and uprisings by the Palestinians against the Israeli occupation in 1987 (the nonviolent First Intifada) and in 2000 (the violent Second Intifada) were equally unsuccessful. In 2005, the Israeli army and settlers unilaterally evacuated the Gaza Strip. Since June 2007, the Strip – which has a population density of 4,657 per square kilometre – has been under constant blockade by land, air and sea.

In December 2008, in response to rocket fire, but also at a time when a new cease-fire was being negotiated, Israel attacked Hamas in the Gaza Strip, mostly by aerial bombardment on a captive population. Nearly 1,400 people were killed in just 22 days.[3] Another major attack took place in November 2012, and more recently and most destructively in July and August 2014, through the Israeli army's operation 'Protective Edge' in the

Gaza Strip. Every man, woman and child in the Gaza Strip – some 1.7 million people – have been directly affected by the conflict. The bombardment and military ground operations caused the death of 2,153, of whom some 1,480 are believed to be civilians, including 504 Palestinian children. The damage to public infrastructure was unprecedented, affecting electricity, clean water and healthcare.[4]

Oslo's legacy
The Oslo Accords in 1993 and 1995, which allowed for the return of many leading exiles, and the creation of a 'Palestinian Authority', were supposed to bring about an end to the occupation and the establishment of an independent Palestinian state by May 1999. Despite these accords and the official peace process that they initiated, the Israeli state has remained in total control of Palestinian lives. This has created a continuing situation of minimal human security for the entire Palestinian population, and in the case of Gaza, an absence of human security to the extent that the population barely survives.[5] With nearly half a million people displaced by the latest Israeli attacks, their survival is even more precarious.[6]

Amongst the legacies of Oslo has been the creation of so-called 'security areas', which directly impact the freedom of movement for every Palestinian and thereby their access to health, education, water and other necessities. The West Bank has been divided internally into a patchwork of different security zones: Area A, Palestinian population centres, ostensibly under Palestinian civil and security control; Area B ostensibly under Palestinian civil and joint Israeli-Palestinian security control; and Area C, some 60 percent of the West Bank, under total Israeli civil and military and planning

control. This area includes the Jordan valley, most of the water and many other resources, and many Israeli settlements. Areas A, B, and C are separated physically by a system of separation walls and around 450 military checkpoints/borders.[7] In 2002, Israel began the construction of the so-called Separation Wall. Some 85 percent of the wall runs inside the West Bank, with the result that 11,000 Palestinians need permits to live in their homes as Israel treats them as falling outside the West Bank.[8]

Jerusalem, the West Bank and the Gaza Strip are severed from each other with almost total restrictions on access to Jerusalem and to the Gaza Strip. The restrictions on movement have fragmented the Palestinian people to such an extent that many are no longer aware that they share the same concerns.

Over-securitisation
Another negative legacy of the Oslo accords has been the militarisation of Palestinian society, which was almost entirely without even small arms until 1993, the year that marked the advent of the official peace process and the 'return' of many exiled Palestinians. One of the major components of these accords was the establishment of a large number of security services, including police, preventive security, intelligence, and marines. This led to a rapid proliferation in the amount and use of arms.[9] Ironically, the security services are not there so much for the protection of Palestinian security, as for the protection of Israeli security[c], although Israel as the occupying power should be responsible for security of individual Palestinians.[10]

As society becomes more fragmented, the dangers from the use of arms increases; this was brought home by the violent split between the two major factions, Fatah and Hamas, in 2007. This split led to the formation of two separate governments, one in the Gaza Strip led by Hamas and the other in the West Bank led by Fatah, and to violence by each side against the other, whether by open use of arms or arrests. The split considerably added to levels

of fear, especially in the Gaza Strip. Nevertheless, at the time of writing, an historic reconciliation between Fatah and Hamas has taken place, with a unity government sworn in on 2 June 2014.[11]

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c   "The armed forces' main task was not to guarantee the security of the occupied inhabitants from external attacks or from the occupying power, but to maintain law and order within the West Bank and the Gaza Strip and to protect Israel's citizens from Palestinian militants. Prime Minister Yitzhak Rabin made this blatantly clear when he noted that PA security personnel operated throughout the West Bank with "Israel's knowledge and in cooperation with Israel's security forces to safeguard Israel's security interests." Neve Gordon (2008:40), Israel's Occupation.

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OCCUPIED PALESTINIAN TERRITORY

IN NUMBERS

MINORS IN CUSTODY OF ISRAELI SECURITY FORCES
192
JULY 2014, WEST BANK (B'TSELEM 2014)

SETTLERS
438,088
WEST BANK, EAST JERUSALEM (B'TSELEM 2012)

LAND OF WEST BANK ISOLATED BY THE SEPARATION WALL
11.9%
WEST BANK (B'TSELEM 2012)

PEOPLE DISPLACED DUE TO HOUSE DEMOLITIONS
AREA C
769

EAST JERUSALEM
121
JAN-SEPT 2014 (UNOCHA 2014)

UNEMPLOYMENT
23%
IN 2013
(OPT) (PCBS 2014)

Palestinian perspectives on human insecurity

The focus groups and interviews covered a wide range of topics, including military security and repression, the Israeli occupation, and societal security. The latter includes social services, including education, social justice, security of employment, and the poverty caused by the occupation. In all contexts, human security was unanimously found to be severely lacking.

While the occupation was discussed, it was not cited as the only reason for the absence of human security. Many security needs that would normally be provided by a state are absent, such as protection from military and personal physical attacks, or from the danger of arrest and possible torture, even for minors. Also missing is protection from land confiscation or having one's home destroyed, or the absence of freedom of movement and other basic human rights.

Although it is clear that the occupation affects almost every aspect of Palestinian life, it would be inappropriate to portray the Palestinians as victims in every sphere, with no autonomy or responsibility over the internal issues within their society. The lack of human security has been exacerbated by other factors such as the internal rift between the two major political factions, Fatah

and Hamas (at the time of the interviews), by the weakness of law enforcement in the areas of the Palestinian Authority, and by the increasing culture of dependency on international aid, linked with decreasing economic opportunities.

However, the effects of the occupation – physical and psychological – cannot be underestimated. As one participant said, "In Palestine, we are still struggling to get our independence, and the whole nation is busy in deconstructing occupation and collecting the pieces of our fragmented identity." The geographical fragmentation imposed by Israel contributes to concomitant social fragmentation. It was difficult for the respondents to begin to think of rebuilding the three pillars of human security – freedom from want, freedom from fear and a sense of personal dignity – under the circumstances of the occupation.

Life under siege
The occupation has both visible and invisible elements, which equally affect the lack of human security in Palestine. The former include, for instance, the denial of freedom of movement to Palestinians, which is now epitomised by the separation walls, the heavy Israeli military presence in Jerusalem, at the check-points, and the many and multiplying settlements. There are multiple kinds of military and non-military violence, including imprisonment, shooting with live ammunition, bombing, and exile.

The invisible elements demonstrate the use of structural violence against Palestinians, such as land confiscations and the lack of housing rights. These prevent any form of economic development, whilst humiliating and disempowering Palestinians and making their daily lives increasingly difficult. There are highly complex ID and permit systems, primarily around movement and access, but even for the right to continue living in one's home. Israel operates a coloured ID card system to differentiate between Palestinians living in the West Bank and Palestinians living in Jerusalem. Those with green West Bank ID cards are not allowed on the opposite side of the Wall, where Jerusalem is located, without going through a complicated, humiliating and sometimes Kafkaesque permit application process. The process is rarely successful except for medical treatment and very occasionally to celebrate Christian or Muslim religious rites during holidays.

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Narmeen Abu Baker lives in Jerusalem and married a Palestinian man from the West Bank.

Like any girl in the world, I loved a man who was my friend at university. When we decided to marry, we realised our complicated situation. I'm from Jerusalem with a blue ID and he's from the West Bank with a green ID. You feel all your dreams could be broken in seconds. But we insisted that we should face this together and we believed that our love was stronger than the occupation. So we decided to marry.

After marriage, my life started getting more and more complicated. I was working in Jerusalem and we had to live in Ramallah in the West Bank because my husband doesn't have a permit to live in or enter Jerusalem. I had to pass through Qalandia checkpoint every day to go to work. After I got pregnant I started getting really exhausted [from standing] in a crowded place for so long. In my last month of pregnancy, I had to stay at my parent's house to give birth in Jerusalem to prove that my baby was born in Jerusalem and has the right to get the blue ID and get health insurance. My husband was able to visit me for one day. He entered Jerusalem illegally because he wasn't given a permit. And when I was in labour he couldn't make it because police were all over the place. It was very heartbreaking to feel that at the hardest moment in my life I had to be alone without my husband holding my hand. And I really cried because he wasn't able to be the first one to see his son.

After that I had to stay at my parent's house to prove residence in Jerusalem in order to give my son the blue ID and health insurance. I was lucky that [the Israeli authorities] came after four months – it takes years for other people. They asked my family questions, they asked our neighbours if they saw me living here, they asked for electricity bills and many other governmental

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documents. They even looked at very small details, like if there were clothes for me and my son in the closet and if there was food in the fridge. But they don't come only once.

So my husband had to sneak into Jerusalem for us to live together and prove residence in Jerusalem and start requesting a 'family reunion' which could allow him to live with us. The problem is that to request this in court, my husband must be older than 35 and he's still 33. Yet, we had to stay in Jerusalem because my son hasn't received the birth certificate yet.

We are renting a house while my husband is staying here illegally. We're afraid to move, to go shopping, to do anything in life because we're afraid he could be caught at any time. He had to stop his work as an accountant in the West Bank. He was in Jerusalem without any work for five months until he started working as a construction worker with a very low salary without any human rights.

It is so frustrating to live such a life. We could have lived the best life ever, life as we wanted, but unfortunately fate chose for us to be born here in such a complicated place.

"Humans have become the cheapest thing – even animals are treated better."

In'am Abu Nada is a field worker for Oxfam in Gaza.

My husband had hepatitis, and he began to have problems with his nerves in his face. The doctor was terrible. He didn't diagnose him properly, didn't really try and investigate what was wrong. We were just given cortisone, and my husband took two courses. After this his liver failed. We wanted to go to Egypt, but we had to treat him in Gaza. All they gave him was painkillers. The treatment outside Gaza was very expensive – $50,000. We had to sell the house. We went to Egypt, and as soon as the doctor saw him, he said 'the treatment of your husband is very simple, as long as he has never taken cortisone'. I told the doctor that he had taken two courses. My husband only lived six months after that... He was an engineer at al-Azhar University, but once he died, that was it, there was no life insurance, they didn't pay us anything... Humans have become the cheapest thing – even animals are treated better than humans.

Housing insecurity

Home demolitions are an example of a combination of the visible and the invisible violence that Palestinians experience. Because the Israeli government rarely grants building permits to Palestinians, structures are often built without permits, with the inhabitants living in constant

"One of my neighbours had to demolish his house with his own hands."

fear of their homes being demolished. From 2006 through May 2014, at least 752 Palestinian residential units had been demolished in the West Bank (not including East Jerusalem), causing 3,568 people, – including at least 1,712 minors – to lose their homes.[12] Abdullah Al Khatib, 55 years old, a plumber in Jerusalem, asks, "Which security are you talking about? We have forgotten the meaning of this word a long time ago. Every couple of weeks we see groups of Israeli forces coming to our area to demolish houses. Many of our neighbours' houses were demolished. Israel doesn't give permission for Palestinians to build. It takes from two to ten years to receive permission and we have to pay very big amounts of money, which we cannot afford. [...] We pay very high taxes and we receive actually none of the services compared to what Israelis receive. One of my neighbours had to demolish his house with his own hands. They told him if he doesn't demolish it in two weeks they will come and demolish it for him and he would have to pay for the bulldozer as well."

The broader sense of insecurity this situation creates was described by a technical assistant from the West Bank, who wished to remain anonymous, "I have land near the settlements on the Ramallah border, but I can't build a house there because it isn't safe – there are often confrontations between settlers and Palestinians – and I can't even sell it, because no one would buy it, because they know the situation. If I ever tried to build a house there they would just come and demolish it."

Economic security and livelihoods

Lack of economic security – defined as having stable employment and being able to provide for one's family – was one of the main cross-cutting themes across the three areas. Economic stability is both threatened by, and creates, social instability, and thus becomes the lynchpin of progress and development. The Palestinian economy cannot provide an environment whereby stable employment is available for the majority of the population. A lack of employment opportunities, whether one has a degree or thirty years' experience, was cited in the West Bank as one of the biggest contributors to the feeling of a lack of human security. Economic security was viewed as even worse in Gaza and in Jerusalem. Even education is seen as a hindrance rather than a way ahead, as it simply delays the moment when people will be able to start earning money; financial gains, rather than academic ones, are prioritised. Amjad al-Ahmad, in the Ministry of Economics in Jenin, says, "Economic security is the basis of development, and as long as there is no economic security, there won't be any kind of security – whether political, social, or anything else. But there are challenges facing economic security – for example social challenges, environmental challenges, unemployment, poverty and tribal conflicts."

The closure of Gaza has not only affected students and recent graduates, but also the vast numbers of workers employed in Israel, who used to cross the border daily to get to work. In addition, high levels of unemployment have decreased the worth of education, as a degree is no guarantee of secure employment. This has serious long-term implications for society as a whole, especially since the youth constitutes 70 percent of the population. Many are unable to get any jobs at all, with 88 percent aid-dependency, and this has led to a desperation amongst some to emigrate. A lack of economic security was seen as a serious threat to the security of the family, possibly resulting in instability, violence and fragmentation. If there is a class of disillusioned youth who know that they will never work no matter how educated they are, they will turn to other, perhaps less salubrious means of employment, which will surely only cause even less security.

Another consequence of the occupation which affects livelihoods is access to natural resources. Colonel Hilal Abdul Haq, Director of Preventive Security in Jerusalem and director of Jericho, says,
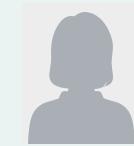
"Israel defines the depth of drilling allowed for the extraction of groundwater. They [the Israelis] do not allow Palestinian farmers to dig more than 100 meters of water. But, in the settlements they allow them to dig 200 meters and not just 100. Not surprisingly, the water is available when the settlers dig, while the Palestinians cannot find water in their wells. So farmers in areas north of Jericho buy water from Israel at a high price despite the presence of water on their land. They cannot access it as they are banned by Israel from digging artesian wells. Therefore many areas of Jericho now suffer from the problem of water scarcity and crops are beginning to suffer." A young West Bank Palestinian explains, "There is no port, no airport, we don't control our resources, and we can't even import and export without Israel. If the head of the family is not provided with security of employment, how can he provide security and protection for his family?"

In East Jerusalem, the economic situation has deteriorated sharply for many inhabitants. Restrictions on movement, lack of protection from violence from settlers, and economic discrimination have reduced opportunities for many to maintain their traditional livelihoods. Abu Rashad owns a shoe store on Salah Al Din street: "This street used to be called the 'shopping centre' but in the last couple of years, especially after the separation wall, the market started getting weaker and weaker. People used to come from many different places to buy from here but now the market is dead. Ten years ago and before the separation wall, my store used to be one of the best stores. Now I'm thinking of selling or renting it. The Israeli market is much stronger than the Palestinian market. The government is supporting them but for us it's the very opposite. When the Israelis have some religious events, the municipality sticks warning announcements on the doors of the Palestinian stores which say that the stores have to close because a big number of Israelis will be passing by and might cause violent acts."

Health and food security

In Palestine, food insecurity is driven by high rates of poverty resulting from unemployment, which is in part due to ongoing access and movement restrictions, as well as high prices for food and economic shocks. Food is available in markets, but expensive, so households reduce the variety and nutritional value found in their diet. The majority of Palestinians in the Gaza Strip and the West Bank

spend more than half their income on food. Whilst health security was a recurring issue across the territories, the most extreme examples come from the Gaza Strip. The Gaza Strip suffers specifically from the Israeli siege, which does not allow for even the minimum amount of food to meet the population's needs let alone luxuries such as building materials, or chocolate.[13]

The blockade on Gaza since 2007 continues to stifle the local economy and prevents any meaningful recovery of the most productive sectors. The already dire economic situation was compounded in 2013 by the curtailment of the unofficial tunnel trade, which meant that low-cost products arriving from Egypt are being replaced by more costly products arriving via Israel. In addition, limits on importing construction materials into Gaza have put pressure on employment.

"My children can't imagine that Palestine is Haifa, Jaffa, Akka, Jerusalem, West Bank, ..."

Hedaya Shamun, Journalist at Women's affairs center, Rafah/Gaza:

I took a permit through my work to enter the West Bank and Jerusalem. And when I came back to Gaza I showed my photos in Jerusalem to my children. They couldn't understand why I went there without them. I tried to explain to them that I couldn't take them because of the occupation, the blockade, the permits and our situation, but I just saw in their eyes that they still didn't understand – they only thought I didn't want to take them. My children can't imagine that Palestine is Haifa, Jaffa, Akka, Jerusalem, West Bank, etc. They see Palestine as if it is only Gaza, because this is the only thing they have seen since they were born. The new generations in Gaza have never crossed the borders of the Gaza Strip, therefore they aren't able to understand what Palestine is, and what the Palestinian identity is. They study in schools about the geography and the history of Palestine, but it's really different to know these facts theoretically rather than in real life. And this is what I call the loss of identity.

I do not care to put the flags of any political party in my house – I only care to put the Palestinian flag. The thing I fear most is the future of my children. I do not see any prospect for them. I always try to raise them as just being Palestinians without mentioning any political party, but the general political environment in Gaza is the opposite. I try to tell them we are all Palestinians and this is our identity, we are all the same people but after a while, they come back and ask me, 'Mum, who is better, Fatah or Hamas?' It's really sad.

The unemployment rate was 40.8 percent in the first quarter of 2014, which amounted to about 180,200 unemployed people – hitting a five-year peak.[14] Mohammad El Baba, a photojournalist at Agence France Presse from the Gaza Strip says, "Gaza now is facing the worst blockade in eight

years. If a citizen had 8 cents for example, and each year he spent one cent, now he has nothing. Their savings have been totally consumed."

The hospitals and clinics in Gaza are generally of very poor quality, and people often have to bribe the doctors heavily. The alternative is travelling to Egypt, where people may end up paying $ 1,000 simply to be allowed to cross the border.

Health concerns are also closely linked with the armed conflict and with environmental security. Because of the large amounts of phosphorus that were used in bombs during the attack on Gaza by Israel in 2008 and 2009, the past five years has seen a sharp increase in the number of people suffering from skin diseases and cancer, with many children contracting leukaemia – something which was almost unheard of in Gaza before the war.[d] The levels of agricultural pollution are high, meaning that food produce is not clean, which leads to more health problems. The government is not equipped to provide solutions or the right facilities to deal with such things. The lack of clean water is a serious issue in Gaza, and yet another example of people not being provided with their basic needs.

Geographical, political and societal fragmentation

An interconnecting threat that cuts across all Palestinian society is increasing fragmentation, which is part of a vicious cycle of social disintegration, polarisation and the easy use of violence. The geographic fragmentation caused by the occupation is evident in the isolation of Jerusalem, the severance and siege of the Gaza Strip, the gigantic complex of the separation walls throughout the West Bank along with the more than 450 military checkpoints.
In Gaza, societal solidarity is seen to have disintegrated totally. Internal divisions in Palestinian politics have rent divisions in society at all levels – from politicians to neighbours who were once friends but who now, resulting from different political affiliations, do not communicate. Along with the plethora of Palestinian security services and the internal divisions, the militarisation
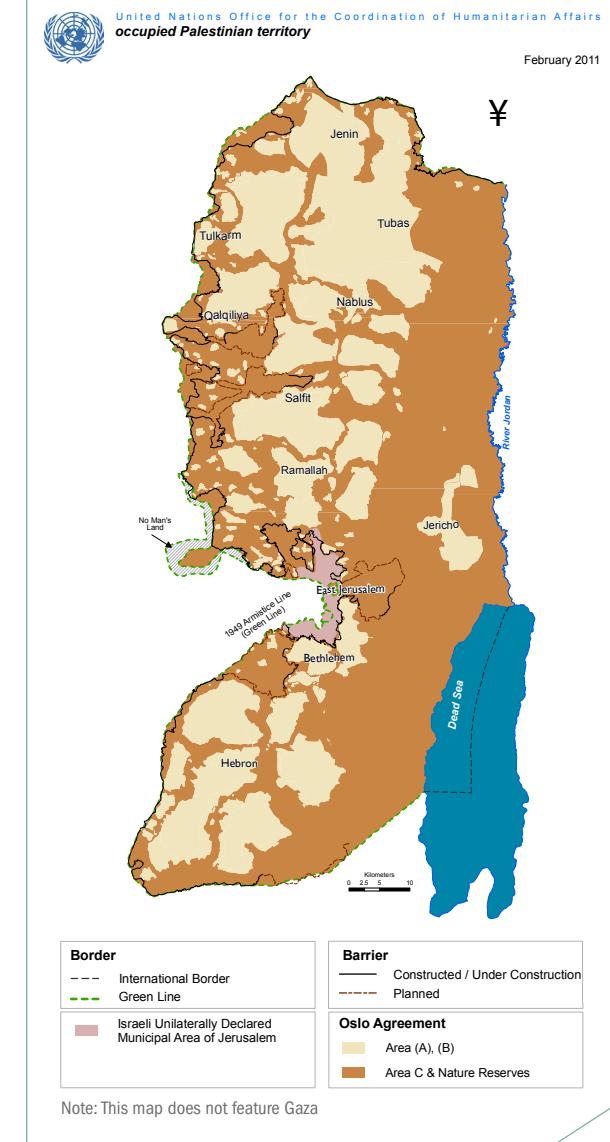
of Palestinian society is reflected in the ubiquitousness of small arms, and the spilling over of tensions and frustrations into violent fights. This cuts across communities and across community groups as the tribal loyalties still come into play and quickly exacerbate minor quarrels. Internal political division is thus exacerbated by the physical and psychological effects of the occupation.

"People have just started to surrender."

Another reason for the lack of social solidarity – a major issue in both Jerusalem and the West Bank – is the feeling that people can no longer afford to concern themselves with the problems of others, as they have so many themselves. People are living day by day, surviving without being able to think of the future, or how to improve their situation. Because people feel that there is no hope, there is "no motivation other than just living another day." As one participant from the West Bank said – or worse, to quote from Gaza – "they just want to forget and to escape even if it means death." In'am, an NGO employee in Gaza, reflects on the psychological effects of the occupation: "There is despair and depression, because people are insecure, their rights have been stolen, and there is no one to turn to. People have just started to surrender." Dr Ismael Abu Zaid a psychologist originally from Gaza, says, "There are pressures everywhere, all over, and there are only two ways to deal with such poverty; to turn to religion or to turn to drugs. If you go to the mosque and pray you may get extra food."

This fragmentation is not along religious or gender lines; for instance, the Christian minority has always been integrated, and Palestinians have been one people. Nevertheless, recent emigration of Christians has been high, due to the lack of economic opportunities, and the overall lack of security. These, coupled with strong networks abroad, for instance, in Latin America, and more recently, fears from the spread of Islamic fundamentalism, have led many Christian Palestinians to leave.

Community and community identity are under constant threat from the occupation. This was strongly reflected by respondents in Jerusalem, where the residence permit system drives people out of the city and basic public services have been absorbed into the Israeli system. In the historic Old City of Jerusalem, whole neighbourhoods have been taken over and the inhabitants moved, as in the Moroccan quarter, which was destroyed in June 1967. Residents are threatened so much that the community and its identity are destroyed.[e]

The result at the local level is a general sense of disempowerment and frustration, especially among the youth. The realities of the occupation have had a profound impact on people's sense of dignity.

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d   " White phosphorus landing on skin can burn deep through muscle and into the bone, continuing to burn unless deprived of oxygen." Its use in civilian areas is prohibited under international humanitarian law – see Amnesty International. "Israel/Occupied Palestinian Territories: Israel's use of white phosphorus against Gaza civilians 'clear and undeniable'". 19 January 2009. http://www.amnesty.org

e   In 'Assessing International Peace Efforts in Palestinian-Israeli Affairs: a Human security perspective' (2010), Elena Aoun describes the Palestinians' "world of cumulative exclusions that threaten collective identity and individual lives."

WEST BANK: AREA C MAP

United Nations Office for the Coordination of Humanitarian Affairs
occupied Palestinian territory

February 2011

Border
- - - International Border
- - - Green Line
Israeli Unilaterally Declared Municipal Area of Jerusalem

Barrier
—— Constructed / Under Construction
- - - Planned

Oslo Agreement
Area (A), (B)
Area C & Nature Reserves

Note: This map does not feature Gaza

Rinad Abu Gharbieh is a project coordinator in Beit Hanina, Jerusalem, describing a scene at a checkpoint between a Palestinian woman and a male Israeli soldier.

She took off her *Jilbab* [traditional body covering] to show him that there is nothing under it and to pass without any beeping. This drove me crazy! This is really humiliating. If it was the *Jilbab* or her clothes he should have asked her to go to a private room to be checked by a female soldier!! But he seemed to be happy to see an ignorant girl like her who didn't know her rights! This is how much we get humiliated every day. This is how they practice psychological pressure on people until they feel fed up with this situation – either by limiting their movement, humiliating them, preventing them from having building permits, demolishing their houses, taking over their lands, etc.... And that's what we are facing now, a war that is much more complicated than any usual war, a war that the world cannot see – it's what is called a 'psychological war'."

Security providers

The complexities of governance are one reason why security providers in the Palestinian territories are failing to address the basic needs of the Palestinians. An NGO worker says, "It is hard to find an official body from which to get human security, because you are missing something that has not been given to you. In order to overcome certain problems, one could go to the police, tribal methods, the family, the mosque or church, political parties and through them human rights centres and international organisations." Although theoretically one could turn to such places, in reality, people have lost trust in them. The various political parties are ridden with internal rifts, and are partly responsible for the lack of

human security in Gaza. Whilst the advent of the Palestinian Authority should have helped to focus national goals, it instead put the focus more on money and militarisation. People no longer have faith in international or human rights organisations – the employees come, take pictures, listen to people's stories and leave. This disaffection with such organisations was expressed in the West Bank focus groups for almost identical reasons.

For Palestinians in East Jerusalem and in Area C, there are only the Israeli state security forces, who are more likely to arrest than to help Palestinians in need of security.[f] In the West Bank, there is a multiplicity of often conflicting and/or overlapping security and intelligence services, but considerably dominated by political factions, and often in contradiction with each other.[15] The civil police do their best but are severely hampered by their inability to work in Areas B or C – and they are in practice not even fully able to work in Area A. In Gaza, it was impossible to get people to talk at all about security forces due to their fears about saying anything to do with security.

As for the Israeli police, who represent the hostile occupying power, many respondents reflected the belief that they will use any pretext possible to break up and undermine the Palestinian family unit. Secondly, there was an awareness of the inevitable judgement from the community that would befall anyone who had gone to the police of the occupying force rather than to their family to solve their problem. An abused woman in Jerusalem therefore may face an impossible dilemma: turn to the Israeli police and risk her husband being sent to prison, her children taken into care, and being ostracised/perhaps persecuted by her own society; or resort to the tribal methods of justice, and risk the violent incident being swept under the carpet and returning to her husband, potentially facing more violence.

f   In the first five months of 2014, the weekly average of search and arrest operations recorded across the West Bank was 86. Since the kidnapping and killing of three Israeli youths on 12 June 2014, this number went up drastically, with a total of 1,454 such operations recorded, and around 2,100 Palestinians arrested in the week of 19-25 August 2014. OCHA. "Protection of civilians, reporting period: 19-25 August 2014". OCHA. Web. 29 August 2014.

The lack of protection was particularly noticeable amongst women, because as one participant said, "[women] not only suffer from domestic issues, but they are also affected by the wider societal issues." In other words, women often suffer twice over – from the occupation itself and also from its effects on the society around them - such as the humiliation of the Palestinian men. Women often bear the brunt of the lack of human security.

GAZA STRIP

POPULATION SIZE

♂ ~10.000.000

1,701,437 (PCBS 2014)

BLOCKADE EFFECTS BETWEEN 2007 AND 2012 (JUNE 2012)

DECREASE IN FARMING LAND
35% (UNOCHA 2012)

FISHING WATERS (PARTIALLY) INACCESSIBLE
85% (UNOCHA 2012)

UNEMPLOYMENT (2012)

MALES
26,8% (PCBS 2014)

FEMALES
50,1% (PCBS 2014)

FOOD INSECURITY (2012)

57% (UNRWA 2012)

AID RECIPIENTS (JUNE 2012)

88% (UNOCHA 2012)

Yacoub Rujoub is a security officer and lawyer from Durra, in the district of Hebron, who works in Izaroyya in area B on the edge of Jerusalem.

In Area B there are Palestinian areas that are neither under the authority of Palestine nor Israel. Israel refused to give these areas to the Palestinian Authority. The suburbs around Jerusalem are all considered Area B. And Israel does not allow Palestinian security forces to work there. Palestinian security officers could be arrested if they were caught in that area with any kind of weapon or even just in uniform, unless they take a permit from Israel, so we actually face armed force while we aren't in fact armed. This increases the theft, crimes, drug dealing and all kinds of insecurity, as all the criminals escape to these areas. For example a man broke in to Al Quds University and started shooting in the campus and shot someone,
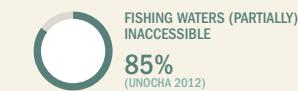
"How could I arrest him? I have no authority in that area."

and after that he just escaped. How could I arrest him? I have no authority in that area. The Israeli police also do not care about such issues because it's a Palestinian area. They don't get involved in any kind of provision of security, they just practice the opposite. They have broken into to Al Quds University many times and they threw tear gas and rubber bullets inside the campus! It's a very insecure area, nobody can be arrested for any breach of the law. It's also very dangerous for the Palestinian security and police officers when they get attacked in such areas because it's known that they won't be armed there.

Salih al-Kurd from Wad al-Jowz is a nurse and an entertainer for sick children in Jerusalem.

Once, when I was on duty, a woman came to the hospital who had clearly been beaten; she had lots of bruises, but when I asked her what had happened, she said that she had fallen down the stairs. I think she was afraid that if she told the truth I would go to the police. I tried to reassure her, and said that I wasn't going to go to the police, but that it was important that she tell me so I knew how to treat her. She said that her husband had hit her, but that she didn't want anyone to know. I asked her why she had refused to tell the truth, and it was obvious that she was scared that the police would find out and that her husband would go to prison. Also, it's the traditional method of dealing with these sorts of issues – women are discouraged from going to the police, because the community would blame her for her husband's incarceration. Normally the community doesn't let the police interfere in these sorts of things.

Mahmoud Qara'een from Ra's al-'Amoud is a field researcher in Jerusalem.

The [Israeli] police are only interested in women's issues. In situations not relating to women, the solutions according to the police or the measures the police take are minimal, and don't solve anything. By focussing only on women's issues, the police are trying to make people believe that the Arab man is a violent one, who can't take responsibility for his family, and behaves like a criminal.

Legal framework and rule of law

Rule of law is only partially effective. There are parallel traditional practices, even for instance in cases of traffic accidents, which generally have to be respected at least as much as official security.[g] The traditional method of justice, known as *sulha*, is still often used to address both individual and community level tensions, by facilitating members of families to meet and discuss a conflict until they reach an agreement. The fact that this approach is deeply based in tradition has its advantage in so far as it can help agreements to hold; nevertheless, there are many issues that do not lend themselves to a traditional approach.

"Normally the community doesn't let the police interfere in these sorts of things."

Participants especially in the West Bank expressed concerns about the lack of an effective legal framework that both deterred people from committing crimes and punished them if they did. Each of the focus groups highlighted that this was the case especially for the most vulnerable groups in society, such as women and people with special needs. But there are also problems with out-of-date laws from Jordanian and even British Mandate and Ottoman times. This problem of outdated laws is compounded by the fact that the Palestinian Legislative Council has not been able to meet since 2007 because they cannot gather between Gaza and the West Bank, and due to the detention of members by the Israelis.

While there are individual women as well as women's groups that work to uphold women's rights, the legal framework was deemed insufficient and insufficiently enforced to protect women.

g   This means that if for instance a driver hits a pedestrian, even if there are no injuries and the police are satisfied that there is no cause for prosecution or complaint, according to traditional law, the driver will still have to visit the pedestrian's family and pay perhaps quite substantial compensation.

Although there are women's rights written into law, they need both improvement and rigorous implementation. For example, obsolete laws which refer to honour killings are from the time of the Jordanian occupation.

In a case from Gaza, one participant spoke of how after her husband's death, his family took her to court in order to get possession of their house. She explained that although there is a law in Islam that states that when the son dies, the possessions go to the parents, she and her husband had worked for and owned their house for twenty-five years. The fact that it could potentially be taken from her, leaving her homeless and with no insurance, demonstrates the lack of legal support for women.

The role of the *sulha* in relation to women, and to violence against women, is not always so clear, since it is based on tradition, and its judges are traditionally all male. Especially in reference to women in Jerusalem there could be times when there was the dilemma: whether to seek help against domestic violence by the traditional *sulha* process? Or by going to the police – in Jerusalem, therefore, the Israeli police? In the West Bank, while mechanisms for women seeking protection from domestic violence are not very reliable, but do exist, at least the police are Palestinian.

Another example of the inadequacy of the legal framework was in reference to the subject of food goods. Because people are using outdated Jordanian laws, there is nothing to prevent people from selling expired goods, which happens regularly. Food is sold past its sell-by-date, with people who are unable to read – a separate issue in itself – falling prey. Because of a lack of monitoring and the absence of an effective legal system to punish such actions, these problems persist.

The absence of monitoring and regulating the provision of services, whether regarding food, medical services or customer services, means that people are not held accountable for any lapses or shortcomings. The provision of an effective and satisfactory service is simply not considered a priority. People do not experience security in the goods that they buy, and the hospital treatment on which they rely are of poor quality. One feels secure if the basic essentials are provided for: food

Anonymous respondent employed at a Ministry in the West Bank

My mother in law came to visit from Jordan, so we held a little gathering to welcome her, and I had bought some *kanafeh* [a local sweet made with white cheese]. I noticed that people were only eating the top and not the cheese. When I tried it I could barely smell it, it was so disgusting.

"The problem is that there is no monitoring of food goods."

So I went to the Ministry and they sent some people to the bakery where we had bought the kanafeh. When they got into the kitchen, it was filthy, things were rusting and there was a terrible smell, like a rubbish bin. They wrote a report on the bakery and the case is still going through the courts. They closed the man's store, and I do think that he will be punished, but the problem is that there is no monitoring of food goods.

and water, health and education services. But when the quality or even the provision of such things is not guaranteed, this leads to feelings of fear and want, and also a lack of dignity.

Conclusion and recommendations

There are many gaps in the existing security structures in the Palestinian territories. The major gaps are due to Israeli control and hostile occupation and therefore can only be addressed by ending the occupation. Internally, there are gaps in the enforcement of the law and in the laws themselves. While there is some progress on this front, the confusion around the laws themselves leaves too much leeway for abuse and criminality. Without even a legal government, rule of law is hardly enforceable.

At the national level, there is a need for forms of security that can unite rather than divide the population, and for efforts that build social cohesion and revive disintegrating values. While traditional practices can be oppressive in some cases, they also have their cohesive and positive side, insofar as they help to solve internal disputes. Palestinian society also has strong traditions of openness in relation to women and to different groups of all kinds, from Gaza to Jerusalem and Ramallah, to villages and refugee camps. Another national need is for the protection of natural resources and for the development of the economy via control of borders and full human rights. This includes freedom of movement, which is one of the most ubiquitous of Israeli abuses of Palestinian rights. Palestinians are not able to travel freely within or outside the occupied territories. There is no control of borders for Palestinians – the Israeli state has to approve all entries and exit. Not only are visas granted by Israel, but so-called Palestinian passports also have to be approved by Israel.

The primary international implications are that the human security threats against Palestinians undermine international law. The history of the conflict, at least since 1948, has been an example of the continuous violations of international law.[h] This indicates a need for far more advocacy and awareness raising to encourage the application of international law. Both regionally and internationally, the absence of human security for Palestinians increases the risk of global terrorism,

h   See for instance International Court of Justice: Legal Consequences of the Construction of a Wu11, in the Occupied Palestinian Territory, Advisory Opinion, I. C. J. Reports 2004 and UN General Assembly, GA/11317: 'General Assembly votes overwhelmingly to accord Palestine 'non-member observer state' status in United Nations'. UN. Web. 29 November 2012.

whether by angry and disaffected Palestinians or by others exploiting the Palestinian cause.

The contributions of the Palestinian perspectives add up to an urgent need to focus on Palestinian security and empowerment. An interconnecting threat is the absence of a state and therefore state protection. The stories that contributed to this chapter fuel the argument for a human security approach towards a solution, so that the real needs and interests of the Palestinian population can be addressed. Human security needs to be taken seriously as the essential ingredient for peace.

Israel has overwhelming military and economic advantages over the Palestinian population. People who are frustrated and fragmented and unable to see a positive future are far more likely to be violent, especially against those who they see as immediately responsible for their condition. Since the root cause of the conflict and of the absence of human security (including freedom from fear, want and indignity) for Palestinians is the Israeli occupation, in place since June 1967, the occupation needs to be brought to an end. This would restore a level of dignity to the lives of the Palestinians in the West Bank and Gaza Strip, who have by now lived for so long under hostile and humiliating occupation, that humiliation has become internalised and barely figured in the focus

Human security needs to be taken seriously as the essential ingredient for peace.

group discussions and interviews. While there might be considerable risk from factional disagreements or from the far from perfect Palestinian security services, if these services were able to focus on the protection of the Palestinians, individuals would begin to feel safer. Therefore, to ensure the longterm human security also of Israelis, granting human security to the Palestinians is key to paving the way for true peace.

Recommendations

- **Take a broad and overarching human security approach**, focussing on the Palestinians (as well as the Israelis), to be explored as an option towards the solution of this long-standing conflict. Ideally it would be the foundation for a new approach that would be based on reciprocal dignity and would therefore negate some of the gross inequalities of power and economy that currently make real negotiations impossible. The focus on the official peace process itself – even on details such as dates for its prolongation or non-prolongation – should not take precedence over what people need as components of peace.

- **Ensure the immediate implementation of international law**, such as in particular the Fourth Geneva Convention as it applies to territories occupied by war, and UN resolutions that pertain to Palestine. A proper adherence of Israel to international law would immediately improve the situation of Palestinians. For instance, it would halt Israel's settlement expansion in the West Bank, which is illegal under Article 49 of the Fourth Geneva Convention, which states that "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies" (Articles 33 and 53).

- **Focus on a participatory, bottom-up human security approach** towards the achievement of human rights for all, in such a way that it encourages the contribution of all to the process of state-building and community building. Such a process is essential to assure that individual security needs, including those of women and girls, are fully understood and met. It is also an essential part of the empowerment process that is necessary to overcome the profoundly negative experience of constant humiliation. This should also be done in a way that overcomes the 'culture of dependence' that has been built up in recent years by the international community – however well-intentioned. A participatory approach will also generate a strong locally directed and oriented civil society.

- **Work towards demilitarisation of the region and Palestinian society**, as the militarisation brought about by the influx of former fighters, along with small arms and the insistence on

creating and arming more and more security services, has had a strong adverse effect on human security. Even for instance on happy occasions, such as weddings or celebrations of exam results, people are killed through the irresponsible use of guns shot in the air.

- **Uphold and enforce civil laws as a clear reference point for justice and rule of law**. This should ensure the fair and equal treatment of all Palestinians, including the protection of women.

- **Educate throughout the school and university system regarding human responsibilities and rights.** This should be based on a charter that would promote a value-based society, and encourage nonviolent approaches to conflict and the primacy of respect, including reciprocal respect and respect for difference. With such a bottom-up approach that would encourage the participation of all in building a value-based society, internal human security issues, such as domestic abuse and corruption, would be pushed into the realm of the non-acceptable.

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