The Palestinian Media
and Security Sector Governance

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Geneva Centre for the
Democratic Control of
Armed Forces (DCAF)

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Introduction

In established democracies, the media help strengthen accountability and good governance of the security sector. Along with civil society organisations, the media informally oversee the security sector. They complement the work of official oversight institutions, such as the executive authorities, parliament or the judiciary. The media are also instrumental in revealing human rights violations and cases of mismanagement in the security sector.

Free media are essential for an informed public debate on security. The media provide a forum for the public to discuss security policies. If the authorities take this debate into account, the media can be perceived as valuable partners who contribute to enhance the legitimacy of security and justice providers.

In 2008, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and AMIN Media Network jointly launched the project 'Strengthening the Role of the Palestinian Media in Security Sector Governance'. The aim of the project is to identify opportunities and challenges facing the Palestinian media in their task of overseeing the security sector. Through workshops and seminars, the DCAF-AMIN project supports a sustainable dialogue between Palestinian media editors and journalists, civil society experts, and representatives of the Palestinian authorities. Thereby, the project seeks to:

- Promote the work of the local media in security sector oversight;

- Establish channels of communication between the media and the security sector;

- Enhance transparency and accountability in security sector governance;

- Improve Palestinian citizens' access to security-related information; and

- Contribute to a locally-owned and informed debate on security sector governance and reform.

In 2008, the DCAF-AMIN project supported a Palestinian media self-assessment conducted by media professionals from the main Palestinian newspapers, television and radio channels, as well as web news agencies. There were four phases to the self-assessment process:

1. Organisation of a workshop with Palestinian media editors and high ranking security officers on the main obstacles and challenges to sharing security-related information with the population (April 2008).

2. Conduct of a two-day training event to develop the capacity of Palestinian media representatives to identify their institutions' strengths and weaknesses in overseeing the security sector (August 2008).

3. Organisation of a one-day review event to summarise the main findings of the two previous stages and propose recommendations (October 2008);

4. Creation of a pool of local media experts who provide continuous advice to the project.

The present publication summarises the outcomes of this self-assessment process. It is composed of articles researched and written by five Palestinian media practitioners who are part of the DCAF-AMIN pool of experts.

- In the first section, Emad Al-Asfar examines ways of bridging the gap between Palestinian authorities and security and law-
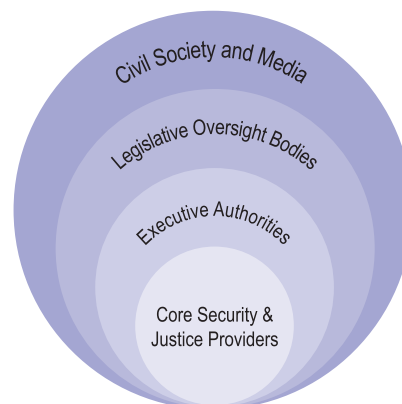
enforcement institutions on the one hand and the citizens on the other. Al-Asfar argues that the development of impartial, objective and professional media is fundamental in this regard.

• The second section analyses the legal framework regulating the media in the Palestinian Territories. Juman Quneis shows how for the last fifteen years, Palestinian authorities have oscillated between the development of a liberal regulatory framework and restrictions on public discourse.

• In the third section, Nahed Abu Tu'aimeh explores the main challenges facing the Palestinian media. She underlines that armed and security forces' regular interventions hamper the work of Palestinian journalists as much as media self-censorship.

• The fourth section argues that Palestinian media institutions need to be more independent in order to effectively assume an oversight role. Samih Mohsen shows how institutional shortcomings and weak relations between the media and civil society undermine civil-democratic oversight of the Palestinian security sector.

• In the fifth section, Khalaf Khalaf reveals how Palestinian media outlets have failed to foster an informed public debate on security. The author then explores ways of strengthening the media's role in promoting dialogue and reconciliation.

At the end of each section, the authors make recommendations on ways to overcome the current obstacles to Palestinian media work. The publication hopes to make a useful contribution to the Palestinian debate on security sector reform.[1]

What are the components of the security sector?

The security sector consists of the core security and justice providers and their management and oversight institutions.

Core security and justice providers:

• Security forces (armed forces, police, intelligence and security services, but also guerrilla armies and private militias)

• Justice and law enforcement institutions (the judiciary, prisons, prosecution services, traditional justice systems)

Management and oversight institutions:

• Executive management and oversight bodies (Presidency, Ministries of defence, interior and justice)

• Legislative management and oversight bodies (Parliament and its committees, ombudspersons)

• Informal oversight institutions (media, civil society organisations).

Notes

1 For a comprehensive analysis of the Palestinian security sector reform process, see: Roland Friedrich, Arnold Luethold (eds.), *Entry-Points to Palestinian Security Sector Reform*, Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2007

Strengthening the Role of the Palestinian Media

Emad Al-Asfar

Many Palestinians suffer from the ongoing Israeli occupation and face harsh living conditions. They expect their political leaders to use their authority for the development of stable and transparent socio-political structures. In their view, security policies should have a legal basis and be subjected to public discussion. Furthermore, Palestinians expect the security and law-enforcement institutions to provide the best possible protection against crime as well as against unwarranted military interventions. They also demand that these institutions operate in a transparent and accountable manner.

Palestinians expect the media to informally oversee the security sector. They want local media institutions to complement the work of formal oversight actors, such as the executive, legislative and judicial authorities to ensure transparency and accountability in the security sector.

Key members of the Palestinian security and law-enforcement institutions have recently realised their need to improve their public image. They recognise that they must have a clear mandate and operate within the legal framework in order to gain legitimacy and recognition. They are also aware that they need to effectively deliver security to the Palestinian people. Officers of the Palestinian security forces and representatives of the executive, legislative and judiciary authorities increasingly turn to the media to publicise their efforts to strengthen the rule of law.

In this context, the media appear as an essential link between society and the decision-makers.

Palestinian journalists acknowledge the importance of strengthening their role in security sector governance. However, they still face many obstacles. Palestinian media institutions have a limited capacity to independently and professionally report on security sector developments. Media representatives lack effective channels of communication with representatives of security and law-enforcement institutions. These representatives often have a limited understanding of the role the media should assume in a democratic society.

Accountability of security providers

"Free and independent media are considered a key element in democracies, where they perform a vital role as a bridge or transmission belt between society and those who govern. By providing comprehensive and reliable information and giving voice to a diversity of views and opinions, the media facilitate informed debate and critical appraisal of state action. And by showing their audience what is actually happening, the media helps to subject the claims and actions of a government to public scrutiny and thus hold political and state actors accountable."

Source: Caparini, Marina (Ed.), Media in Security and Governance. The Role of News Media in Security Oversight and Accountability, *2004, p. 15.*

The case for professionalising media-security relations

Charged with the difficult task of ensuring law and order, Palestinian security forces are often reluctant to provide the media with detailed and timely information on their activities. This

context raises a number of questions. How can bridges be built between Palestinian media and security forces? How can security officers recognise the benefits of communicating more openly and effectively, instead of holding on to a culture of secrecy? How to balance the media's right to access information with national security concerns?

Defining security

The current level of mistrust between Palestinian security and media institutions is partly due to the lack of a shared definition of security. Does security primarily mean the protection of the ruling authorities and institutions? Or is it about equitably delivering services to all of society and responding to the population's needs? If so, how can the different actors in the security sector, including media institutions, contribute towards achieving this objective?

Enhancing impartiality, objectivity and professionalism

Agreeing on a shared definition of security can help improve information sharing between security and media institutions. At the same time, trust needs to be built between the security and the media institutions. This trust can be based on shared values, such as impartiality, objectivity and professionalism.

1. *Impartiality:* The media and security organisations have similar missions. Their task is to serve the people and ensure that security is provided for all under the rule of law. In order to be legitimate, security institutions must be independent from political interests and cannot apply discriminatory practices. Likewise, when covering security related issues, the aim of the media should not be to promote the interests of political personalities or community leaders.

2. *Objectivity:* In their work, security and media institutions should rely upon factual and verifiable information. Security officers and media practitioners are required to methodically collect, verify and analyse facts. In some cases, the political

affiliations of Palestinian security and media institutions have influenced their way of handling information. Objectivity in the work of security and law-enforcement institutions implies, for example, that criminal investigations comply with legal requirements and are based on verifiable factual evidence. Objectivity in the media's work means that the media should publish security-related information that is reliable, verifiable and contributes to an informed public debate. In both cases, the public legitimacy and credibility of security and media institutions is at stake.

3. *Professionalism:* In the fields of media and security alike, professionalism helps to prevent power abuse. Professionalism is also a safeguard against the undue influence of personal interests. However, in both fields, current education and training procedures are not conducive to professionalism. The authorities do not issue certificates or licenses attesting that journalists have reached the satisfactory level of education and experience for assuming their function. As for the security forces, there are no unified training curricula for mid-level positions.[1] For these reasons, it would be crucial to adopt professional standards and codes of conduct and ethics. Such documents would enable security and media institutions to continuously evaluate their performance, to handle professional misconduct and to gain public trust.

Designing effective communication channels

Adopting the principles of impartiality, objectivity and professionalism alone does not guarantee public access to information. Indeed, security forces are often extremely reluctant to share information. In turn, journalists rarely have a precise understanding of the challenges facing security forces in their work. Formal communication channels should be established between the media and security organisations. To this end, the following measures should be taken:

- Establishment of a press department as the point of contact for the media in all security forces;

- Appointment of trained officers as official spokespersons of the security forces;

- Conduct of press conferences on either a regular or ad-hoc basis;

- Development of interactive media platforms and websites to ensure media access to security information;

- Development of media programmes to raise public awareness on issues related to security sector reform, such as citizens' rights and law and order campaigns; and

- Organisation of joint workshops between the media and security forces in order to promote mutual understanding.

How can the media help improve security sector governance?

- Obtain access to government records and publish them.

- Cover parliamentary and court hearings, executive decisions, and security operations.

- Cooperate with human rights and civil-society groups during awareness campaigns.

- Conduct programmes to monitor the state's management and actions related to security sector governance.

- Publish investigative reports on human rights abuses, mismanagement and corruption.

The need for strengthening media oversight

Palestinians actively monitor the work of the security and law-enforcement institutions. They often publicly criticise their decision-makers. They demand that the media oversee security and law-enforcement institutions more carefully in order to ensure that they do not abuse their power, the taxpayers' money or donors' contributions they have been entrusted with.

Yet, while public complaints against misconduct or abuses of power are frequent, they are rarely relayed by the local media.

The Palestinian media should build on this culture of criticism to exercise their watchdog function and gain broad public acceptance. It might be difficult since recent surveys reveal that the population does not generally trust the Palestinian media.[2] They are criticised for their systemic weakness in overseeing the security forces. Unlike other informal oversight actors, such as civil society organisations, the local media failed to convince the population of their ability to professionally monitor the performance of the security and law-enforcement institutions.

Conclusion

The Palestinian media have an important role to play in ensuring good governance of the security sector. The media's compliance with values such as impartiality, objectivity and professionalism will contribute to improve their relations with security institutions. This should limit cover-up practices, promote mutual trust and contribute to more legitimacy, transparency and accountability in the security sector.

Understanding security as a collective responsibility should also help improve the relation between Palestinian security and media institutions. However, the Palestinian media can only assume their watchdog role if, concomitantly, the executive, legislative and judiciary understand the value of clear communication for reaching public acceptance and legitimacy. Finally, stronger links between the Palestinian media and other formal or informal oversight bodies are necessary to ensure that the Palestinian people can hold security and justice providers accountable.

Key recommendations

✓ Devise dialogue mechanisms and programmes to promote mutual respect and understanding between security and media institutions.

✓ Establish channels of communication between the media agencies and security forces.

✓ Translate the values of impartiality, objectivity and professionalism into working guidelines.

✓ Develop special media programmes to convey the population's security expectations to policy-makers and raise awareness on citizens' rights.

Notes

[1] See Hussein, Ahmad, "Reconstructing the PNA Security Organisations", in: Friedrich, Roland and Luethold, Arnold (Eds.): *Entry-Points to Palestinian Security Sector Reform*, Geneva: DCAF, 2007, p. 50.

[2] See RCHRS Surveys Studies Unit (2009), *Palestinian Public Opinion on Local and Arab Media, Public Opinion Poll # 1*, February 19-21, Ramallah, p. 1.

The Palestinian Media and Security Sector Legislation

Juman Quneis

The analysis of the legal framework regulating a country's media provides an entry point to assess the media's freedom and independence. It is fundamental that the press is free and able to access information in order to informally oversee the security sector and play its role as the "fourth estate".

Following the Oslo Agreements in the 1990s, the Palestinian National Authority (PNA) enacted provisions giving relatively broad freedoms to the media in line with the spirit of the Palestinian Declaration of Independence (1988). However, the PNA subsequently put in place restrictive safeguards that increasingly curbed media freedom. The PNA also restricted Palestinian journalists' access to government records, thus limiting their ability to obtain information on national security issues. Furthermore, journalists were discouraged from investigating and denouncing abuses or acts of misconduct committed by security officers. To this day, a number of legal limitations to media freedom are still in place.

In order to understand the media's work, it is also necessary to consider the legislation governing the security forces and their executive management bodies. This legislation contains provisions limiting access to security related information and restricting communications between security forces, oversight institutions and civil society.

Main laws regulating the relations between the media and security institutions

- Amended Basic Law (2003)

- Law of Printed Materials and Publications (1995)

- Draft Audio-Visual Law (1996)

- Law of Service in the Palestinian Security Forces No. 8 (2005)

- General Intelligence Law No. 17 (2005)

The Palestinian media and nation-building

The development of the Palestinian media is closely linked with the history of the Palestinian National Authority (PNA). As a consequence of the Oslo Agreements, Israeli military law and censorship no longer applied to Palestinian media outlets in the West Bank and in the Gaza Strip. Since the beginning of the Oslo process, legal provisions regulating the Palestinian media were gradually developed. For instance, in the 1994 *Agreement on the Gaza Strip and the Jericho Area*, Palestinians and Israelis committed themselves to preserve the peace process, "to foster mutual understanding and tolerance" and to "abstain from incitement, including hostile propaganda, against each other" (Art. XII [1]).

One year later, the Palestinian *Law of Printed Materials and Publications* (1995) was adopted. This law remains the main text regulating the Palestinian media to this day. Its purpose was to

regulate official media outlets in the framework of the Palestinian state-building process, especially with the aim of mobilising Palestinian public opinion in support of the authorities. The *Law of Printed Materials and Publications* defines the role of Palestinian media outlets as "searching for information, news and statistics that are of interest to citizens from their various sources as well as analysing, disseminating and commenting on them within the limits of the law" (Art. 4 c). This article raises a number of questions. Do terms such as "information", "news" and "statistics" comprise materials stored within government departments or records filed with the security forces? If so, what body is entitled to decide which "information" is of public interest? On the basis of what criteria is this decision made? Finally, how are the "limits of the law" defined?

The function of press laws

"In principle, a press law should put in place a legal framework which helps to organise the media's work and to provide guidance to the press. It should secure journalists' access to information and protect the fundamental right of the individual to express his or her point of view freely through the print media."

Source: Mendel, Tony and Khashan, Ali, The Legal Framework for Media in Palestine Under International Law, *2006, available at* http://www.article19.org

Ambiguous media legislation

The ambiguity of some of the articles of the *Law on Printed Materials and Publications* compromises the right of journalists to freely address security issues. It also gives the authorities discretionary powers to decide which security-related documents (such as reports, budget allocations, statistics or government records) journalists can access. Moreover, the Law imposes restrictions on the media coverage of security-related issues. The law prohibits the publication of "classified information about the Police and security forces and about their weapons, equipment, locations or movements" (Art 37 [a]).

In 1996, a *Draft Audio-Visual Law* was prepared by the Ministry of Information and proposed for adoption by decree. The Draft reflected the Palestinian authorities' increasing control over the dissemination of security-related information. For instance, the Draft underscored that all Palestinian audio-visual media institutions should "contribute to consolidating and deepening the national policy, which the people embrace, and declare their support thereof through all available means" (Art. 4 [7]). If interpreted in a narrow sense, this article might be used to prevent the media from scrutinising government policies and relaying popular discontent. Other articles are even more explicit in requiring the media outlets to contribute to the "preservation of public order, needs of national security, and requirements of public interest" (Art. 4 [4]). This illustrates the authorities' continuous efforts to limit the media's freedom in addressing sensitive issues. The Parliament never ratified the *Draft Audio-Visual Law* because civil society organisations criticised its repressive character. Yet, the Draft remains a source of inspiration for decision-makers and a symbol of the authorities' tendency to restrict media freedoms.

One of the main loopholes in Palestinian legislation is the lack of a law on access to information, sometimes also called freedom of information legislation. In other countries, freedom of information legislation clearly defines what kind of information citizens can request from official institutions as well as the process for making such requests. This type of legislation also sets timelines for these institutions to respond. Finally, freedom of information legislation often includes detailed criteria and procedures for classifying and declassifying information. Since such legislation is missing in Palestine, members of the government and security forces have the discretionary power to decide which information they deem fit for public release. As long as this legal loophole is not closed, the Palestinian media's ability to oversee the security sector will remain limited. An additional consequence of the lack of clear criteria for defining classified information is that Palestinian journalists are not able to assess which information, if made public, could harm national security. This, in turn, limits their capacity to anticipate the reaction of government and security officials when covering security issues.

Freedom of information laws

"There is a global trend towards government transparency. Governments around the world are increasingly making more information about their activities available. Over 60 countries around the world have now adopted comprehensive Freedom of Information (FOI) Acts to facilitate access to records held by government bodies and over thirty more have pending efforts."

Source: Banisar, David, "Public Oversight and National Security: Comparative Approaches to Freedom of Information", in: Hans Born and Marina Caparini (Eds), Democratic Control of Intelligence Services. Containing Rogue Elephants, *London, Ashgate, 2003, p. 217-221.*

Restrictive Palestinian security sector legislation

The Palestinian *Amended Basic Law* (2003) stipulates that "every person shall have the right to express his opinion and to circulate it orally, in writing or in any form of expression or art, with due consideration to the provisions of the law" (Art. 19). It also states that "freedom of audio, visual and written media as well as freedom to print, publish, distribute and transmit, together with the freedom of individuals working in this field, should be guaranteed" (Art. 27). At the same time, the *Amended Basic Law* underscores that Palestinian security forces must show "complete respect for rights and freedoms." (Art. 84)

Yet, despite these clear provisions, the Palestinian National Authority subsequently enacted a series of laws and decrees that undermine both the spirit and the letter of the Basic Law by limiting media access to security-related information. For instance, the *Law of Service in the Palestinian Security Forces No. 8* (2005) states that, during military service, officers are prohibited from issuing "statements to the media, except under an official authorisation by the competent minister" (Article 90 [10]). According to this law, the minister in charge (the minister of interior or the minister of information) must approve the release of security-related information. This is a striking example of the executive authorities' direct involvement in media affairs. This provision strongly limits journalists' ability to access, gather and publish security-related information within a reasonable time. The law also prevents Palestinian security forces from developing effective media departments by restricting the role of official spokespersons. Security officers do not dare to release information for fear of being punished or accused of disrespecting the minister.

The *General Intelligence Law No. 17* (2005) takes a similar approach. It prohibits officers of the General Intelligence from revealing "any data pertaining to the matters of work to the media, whether during the service or thereafter, except through a person authorised thereof" (Art 35 [3]). Given the nature of intelligence agencies' work it is understandable that only designated persons can provide information to the public. However, the law does not identify the persons who are authorised to provide information to the media.

Conclusion

The Palestinian security and media legislation is remarkably imbalanced. On the one hand, there are very liberal constitutional provisions. On the other hand, the ordinary legislation is very restrictive and undermines the media's oversight role. The current legislation should be amended to define more precise and transparent media regulations in order for the Palestinian media to play it role as the "fourth estate".

The lack of a law on access to information (including a clear definition of classified and sensitive information) constitutes a major obstacle to the media's oversight function. This gap in legislation has allowed the authorities to interpret the law in a restrictive way without feeling compelled to inform the public. It is thus still very difficult to find a balance between the authorities' legitimate security concerns and the public's right to information.

In order to gain public trust and legitimacy, the Palestinian authorities need to be more transparent and to adopt a modern media legislation.

Key recommendations:

- ✓ Enact freedom of information legislation.

- ✓ Enact provisions to protect sources of information.

- ✓ Provide legal definitions for "classified" and "sensitive" information.

- ✓ List restrictions on the public discussion of security related matters.

The Palestinian Media and Security Sector Oversight

Nahed Abu Tu'aimeh

Palestinian journalists work under difficult conditions: they have to deal with a variety of issues related to armed conflict, territorial fragmentation and severe restrictions to freedom of movement. Producing reliable information for the public under such circumstances is a challenging task.

The relations between the Palestinian security forces and the media are tense. Security officers suspect media professionals of seeking public attention while underestimating the potential consequences of their acts. In turn, journalists are critical of the secrecy surrounding security matters and complain about abuses committed by security officers. The lack of mutual trust between the Palestinian media and security forces hinders the transmission of reliable security-related information. Journalists often lack knowledge on security sector governance and reform and are personally exposed to threats. Topics related to security and social practices are still considered sensitive. All this prevents local journalists and media institutions from exerting informal oversight over the security sector.

Interventions of armed and security forces

Palestinian journalists are often targeted by armed personnel. During major military operations, Israeli soldiers do not hesitate to target journalists in the field. For this reason, Palestinian journalists do not systematically cover the ongoing conflict with Israel. They are also reluctant to monitor the operations of Palestinian security forces in the field because of the prevailing insecurity in some areas of the West Bank and of the Gaza Strip. According to the Palestinian Center for Development and Media Freedoms (MADA), there are two main sources of armed interventions against the Palestinian media:

1. The Israeli Defense Forces (IDF). Until 1993, the Israeli military exerted direct control over the Palestinian media in the West Bank, the Gaza Strip and East Jerusalem through censorship legislation. Al-Quds newspaper, published in Jerusalem, currently remains subject to direct Israeli censorship. The IDF

Common obstacles to media activity

"Journalists tend to encounter special challenges when reporting on security-related topics, including blocked or restricted access to information that is considered sensitive, heavy reliance on official sources, and apparent trends in which news organisations are proving less willing to devote resources to following complex issues over long periods. Government and security officials may block or delay release of information, manipulate or 'spin' information, or may seek to influence journalists through a wide variety of means – from creating conditions of dependence and potential co-opting by embedding reporters with armed forces in conflict situations, to intimidating or threatening."

Source: Caparini, Marina (ed) (2004) Media in Security and Governance. The Role of News Media in Security Oversight and Accountability, *Geneva: DCAF, p. 15.*

continues to be an important obstacle to the work of Palestinian and international journalists in the Palestinian Territories. Military operations are a major source of risk for journalists. Road blocks and the continuing closure of the crossing points to the Gaza Strip, as well as Israel's imposition of closed military zones prevent the media from covering Israeli military operations.[1]

2. The Palestinian Security Forces. They are the only organisations entitled to use force to maintain law and order in the Palestinian Territories. They have always avoided direct censorship of the media, which was typically exerted by the occupation power. However, Palestinian security forces sometimes control the work of the media. Their aim is to secure support for the Palestinian National Authority (PNA) and to contain dissent. Currently, the authorities' attempt to gain broad public support for their security operations is backed by the security forces which often prevent the media from overseeing their work.[2]

In its last 2008 Report, MADA stated that the IDF and the Palestinian security forces committed 257 violations of media freedoms (see box below). MADA lists house arrests, the prohibition to distribute media products, raids and closures of media outlets, confiscations of equipment, detention, injuring and killing of journalists. 57% of these violations were committed by the IDF and 43% by Palestinian security forces operating in the West Bank and in the Gaza Strip.

Systemic problems in the Palestinian media

Palestinian journalists face both external and internal obstacles when reporting on security issues. It is sometimes difficult for journalists to denounce abuses or mismanagement in security sector institutions because media outlets are subject to the same shortcomings. Systemic shortcomings in the Palestinian media include:

1. Journalists working for the security forces. Many Palestinian journalists work for the Palestinian media and security institutions. Consequently, the lines between journalism and intelligence gathering are blurred. In most cases, this double allegiance affects the quality of information. Journalists with a strong security background and ongoing commitments with security institutions are not likely to be critical of the security forces, as they are unwilling to oversee the work of their colleagues in the security forces.

2. Lack of specialisation in security matters. Even in its broadest form, security is not a topic of specialisation for Palestinian journalists. Concepts such as human security or security sector governance and reform are new to the Palestinian political and academic discourse. These concepts are therefore not part of media training programmes at universities or in specialised institutions. This lack of conceptual knowledge is illustrated by the absence of investigative reports on the work of security organisations.

Violations against the media by Israeli and Palestinian armed forces in 2008
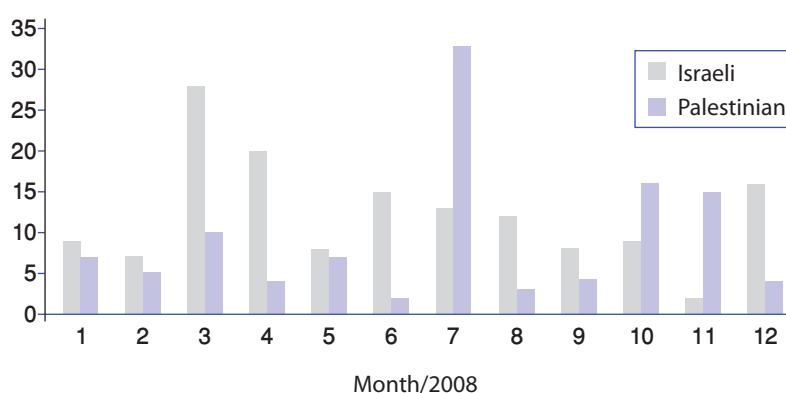
Source: Palestinian Centre for Development and Media Freedoms (MADA) (2009), 2008 Annual Report*, Ramallah.* http://www.madacenter.org

3. Professional insecurity. Working conditions in Palestinian media institutions are often precarious. The absence of financial and institutional protection discourages journalists from covering security-related issues and monitoring the work of the security organisations. Since they fear repression, the media apply self-censorship. Journalists tend to report on facts and rely on secondary sources because they are less likely to provoke negative reactions than investigative reports and first-hand sources.

State security vs. access to information in the Arab Region

"In varying degrees, Arab media personnel in most Arab countries encounter serious difficulties in gaining access to information, documents, data and official and unofficial news sources. Authorities often hinder their efforts citing official secrecy or national security. Many countries have a list of prohibited topics, such as the publication of court hearings, decrees or other matters that are said to touch on state security."

Source: UNDP, Arab Human Development Report (2003). Building a Knowledge Society, *New York, 2003, p. 60*

The impact of societal values

Covering security issues linked to Palestinian traditions remains a sensitive task for journalists. Abuses committed against women and problems between families and tribes are still taboo for local media practitioners. Such issues are usually considered private, and journalists investigating them are often intimidated, threatened or even killed. The social taboo implies that journalists refrain from mentioning these issues if they are related to the victims or politically close to them.

Conclusion

There are important external and internal obstacles to the Palestinian media's involvement in the security sector. External factors, such as armed conflict and occupation, as well as internal political fights threaten the freedom of the press.

Over time, direct censorship has evolved into a more sophisticated control mechanism. Security institutions continue to control and retain information on their operations. Journalists working for the local media practice self-censorship and are frequently intimidated and threatened.

These obstacles to the media's work reveal dysfunctional aspects of the Palestinian security sector. Since media institutions are unable to play their informal oversight role, it is difficult to promote transparency and accountability. Palestinian security policies cannot be recognised as legitimate unless they are based on a shared vision. This vision should be publicly discussed and presented in the local media. The main condition for the Palestinian media to play their oversight role is for the security sector to recognise the media's legitimacy in this field.

Key recommendations:

✓ Systematically monitor and address abuses against journalists covering security-related issues.

✓ Recruit journalists on the basis of their professional skills and refrain from employing members of the security forces as media practitioners.

✓ Modernise journalism curricula in order to familiarise journalists with fundamental concepts in human security and security sector reform.

✓ Raise awareness about the 'watchdog' role of the media in the security sector.

✓ Ensure improved working conditions and economic security for media practitioners.

Notes

[1] During the Israeli military operation in the Gaza Strip between December 2008 and January 2009, five journalists were killed and four hundred international journalists were prevented from entering the Strip to cover the war.

[2] For instance, the deployment of the security forces in Nablus in 2008 was announced during a press conference and took place without the media being informed of the deployment strategy.

Challenges to Palestinian Media Independence

Samih Mohsen

Independence is essential for the media to oversee the security forces. Holding the authorities, political parties or security forces accountable requires that journalists are free from ideological, economical or political biases and pressures.

However, there is practically no media independence in the Palestinian context. Privately owned newspapers, TV and radio stations, as well as online news agencies are no exceptions. Political and economic instability increases the media's dependency on political or foreign funding. The re-emergence of the concept of 'security media' and the lack of cooperation between the media and civil society organisations are both causes and results of this situation. The lack of credible and independent Palestinian media has led Palestinians to increasingly rely on international news sources, including Israeli ones. The Palestinian media are

thus unable to act as critical observers and to bridge the gap between the population and the security sector.

The re-emergence of the 'security media'

As a result of the ongoing internal Palestinian struggle, Palestinian decision-makers and security officers are becoming less and less willing to be scrutinised by the media. They increasingly revert to an old form of media control, the 'security media'. Originating in Egypt in the 1950s, the term refers to propaganda campaigns in the media that were undertaken by the government and its security and law-enforcement institutions in order to showcase their work to the public. 'Security media' include official publications, web platforms and sometimes even personal

Palestinian media and independence

There are different degrees of independence in the Palestinian media:

- "Non-independent media wholly owned and controlled by the Palestinian National Authority (PNA), e.g. Palestine Voice, Palestine TV, Al-Hayat al-Jadida newspaper (West Bank) and Al-Risala (Gaza Strip);

- Independent media indirectly controlled by the PNA through supporters from the PNA, e.g. Al-Ayyam newspaper;

- Quasi-independent media, depending on the PNA to a small degree for financial support, e.g. al-Quds newspaper (Jerusalem); and

- Independent media receiving no financial support from the PNA, e.g. private radio stations (Radio Ajyal), television stations (Amwaj TV) and internet news outlets (e.g. Maan News Agency)."

Source: Hillel, Nossek and Rinnawi, Khalil, Censorship and Freedom of the Press under Changing Political Regimes: Palestinian Media from the Israeli Occupation to the Palestinian Authority, *in: The International Journal for Communication Studies, Vol. 65 (2), 2003, p. 188. Examples added by the editors.*

websites belonging to commanders or officers in the security forces. Through the 'security media', the security establishment aims to shape the public understanding of security. Some platforms allow the public to submit complaints, so the security apparatus can present them as forums for public discussion and sources of authoritative and reliable information. Yet, the editors of these platforms are actually embedded with the security forces.

'Security media' in the Arab Region

In many Arab countries, security and law enforcement institutions have developed training centers and media platforms to improve communication with the public:

- In Egypt, the 'Centre for Security Media' at the Ministry of Interior trains officers to better communicate to the public in order to give a more positive image of the police and state security agencies.

- In Yemen, the Ministry of Interior inaugurated a centre for the same purpose in June 2009.

- In Morocco, the police issue a magazine which describes the policemen's mission and seeks to improve the citizens' perception of their work.

- In Saudi Arabia, the 'security media' is part of the teaching curriculum at the King Fahd Security College.

Source: Editors' research.

The 'security media' attempt to shape the public perception of security by:

- Blurring the distinction between independent media and official spokespersons of the security forces and executive authorities;

- Advertising the authorities' position on political and security issues; and

- Concealing the difference between public security needs and the authorities' interests.

Strengthening the relations between the media and civil society

The lack of media independence reduces the effectiveness of other informal oversight mechanisms. In many countries, independent media are important partners for civil society organisations overseeing the security sector. The media can support civil society organisations by:

- Providing a platform for civil society advocacy campaigns;

- Publishing investigative reports, which support civil society organisations in making their case; and

- Publicising civil society organisations' findings on abuses or mismanagement in the security sector.

In turn, media institutions can benefit from their cooperation with civil society organisations by:

- Learning from civil society advocates in the field of media freedoms;

- Using background research conducted by civil society organisations; and

- Accessing security-related information obtained by civil society organisations.

However, there is practically no cooperation between Palestinian civil society organisations and media institutions. For example, when the Independent Commission for Human Rights (ICHR), the official PNA Ombuds office, issued a report on abusive detention practices by Palestinian security forces in December 2008, the topic was hardly covered by the local media.[1]

There may be different reasons for the lack of media involvement in the security sector. The strongest reason is probably the fact that the authorities do not recognise the institutional relevance of the media's 'watchdog' function. Therefore, the Palestinian media consider it as too sensitive to report on abuses committed in Palestinian detention or prison facilities.

Many editors-in-chief and journalists refrain from being too critical of the authorities and of the security forces. This is in sharp contrast to organisations like the Palestinian Independent Commission for Human Rights (PICHR) or the Palestinian Centre for Human Rights (PCHR) that are officially tasked with overseeing the

security forces and are amply funded for that purpose. Another reason may be the lack of communication between the media and other informal oversight actors. In the case of the PICHR and PCHR reports, it may also be that both institutions failed to communicate their findings to the media.

Media and public awareness campaigns

"Public awareness campaigns on security sector governance sometimes expose issues that threaten the political establishment. Journalists reporting on such controversial issues, exposing wrongdoings or a misuse of power, may find themselves in danger. Appealing internationally or liaising with civil society organisations working on press freedom can sometimes provide needed support and may be a way to ensure protection."

Source: DCAF-UNDP, Public Oversight of the Security Sector. A Handbook for Civil Society Organisations*, 2008, p. 80.*

The question of ownership

To make a significant contribution to security sector governance, Palestinian media need to show the people that they are credible and responsive to their needs. However, because of the lack of media independence, Palestinian citizens increasingly follow foreign media outlets. For example, a survey by the Ramallah Centre for Human Rights Studies (RCHRS) – conducted in January 2009 immediately after the Israeli attack on the Gaza Strip – showed that 53% of the Palestinian people preferred to obtain information on local politics from Pan-Arab media rather than from local media.[2] Their growing reliance on foreign media outlets raises a fundamental question: who shapes the Palestinian media discourse? In the absence of credible and independent local media, Palestinian and foreign journalists often rely on Israeli media or even military sources to obtain information. However, this heavy reliance on foreign media seriously undermines Palestinian journalists' ability to communicate the 'Palestinian view' not only to their fellow Palestinians but also to the international community.

Conclusion

The Palestinian media's lack of independence partly explains their weakness in overseeing the security sector. The media's dependency on government or foreign funding limits the development of an informed and locally-owned debate on security. The re-emergence of the concept of 'security media' blurs the distinction between the authorities' communication strategy and the media's reporting on security matters. In order to be more independent and credible, the Palestinian media have to strengthen their relations with civil society organisations. Informal oversight organisations have to exchange information and collaborate in order to be more efficient. Indeed, neither media nor civil society organisations can have a significant impact on the security sector as long as they work separately. The organisation of joint events and awareness campaigns is a way for the media and civil society organisations to start building stronger relations. Such events would provide Palestinian citizens with a deeper understanding of the mechanisms and strengths of civil-democratic oversight of the security sector.

Key recommendations:

✓ Make a clear distinction between information outlets belonging to executive authorities or security sector institutions and independent media.

✓ Strengthen local media ownership in order to regain the people's trust.

✓ Reinforce the relations between the media, civil society organisations and other semi-formal oversight actors such as the PICHR.

Notes

1 See PICHR, *The Detention of Civilians by Palestinian Security Agencies With a Stamp of Approval by the Military Judicial Commission*, Special Report nr. 64, December 2008.

2 See RCHRS, *Palestinian Public Opinion on Local and Arab Media. Public Opinion Poll #1*, February 2009, p. 1.

Disinformation in Times of Conflict

Khalaf Khalaf

In situations of armed conflict, the population needs accurate media reports on security in order to evaluate threats, assess protection measures and understand the authorities' security strategy.

Since June 2007, the fight between Palestinian factions increased internal insecurity and led to a dramatic drop in media freedoms. Palestinian political parties have extended their control over the media. The public debate on security issues has practically ceased and there are severe constraints on civil-democratic oversight of the security forces. Despite the emergence of Internet and satellite stations, the political polarisation has restricted the population's access to reliable information.

The war of words between Fatah and Hamas has become key in shaping the Palestinian media discourse. The dissemination of hate speech has increased the political fragmentation. Untrustworthy information, false news and rumours have spread and exacerbated social unrest. Media agencies affiliated with both parties have engaged in smear campaigns and tried to discredit the other party.

These practices led the Palestinian people lose trust in the local media as a source of reliable information. Can the local media still play a role in promoting dialogue and reconciliation? What measures should be taken to prevent the dissemination of untrustworthy information?

At the heart of the media battle: security sector governance

Security has become the key point of contention between Fatah and Hamas, the two ruling parties in the West Bank and the Gaza Strip. A review of both parties' official newspapers, *Al-*

Poor ranking in press freedom

In 2008, the Palestinian Territories ranked last of the Arab region in the Reporters without Borders Press Freedom Index. Compared to 2006, the Palestinian Territories fell back seven positions.

Country	Index Rank
Kuwait	61
Lebanon	67
Qatar	76
Bahrain	96
Mauritania	105
Algeria	121
Morocco	122
Oman	123
Jordan	128
Sudan	135
Egypt	146
Yemen	155
Iraq	158
Syria	159
Libya	160
Saudi Arabia	161
Palestinian Territories	163

Source: http://www.rsf.org

Karama (Fatah) and *Al-Risala* (Hamas), during the six months preceding the June 2007 events in Gaza clearly illustrates this. Througouht this period, the partisan media broadly disseminated rumours and unchecked information on security.[1] As a consequence, Palestinian and foreign media observers have noted clear regression in media professionalism and accuracy. The official newspapers of Fatah and Hamas recurrently covered the following security issues:

- The security policies of Fatah and Hamas.

- The composition and management of the security forces.

- Financial and administrative corruption.

- Human rights abuses.

Research we conducted[2] revealed that in forty-one cases, published news on these topics by official Fatah and Hamas outlets relied on untrustworthy sources. While media standards demand that sources are cross-checked, in such cases the media used unchecked sources to discredit the opposing party. In most cases, the media spread false news to persuade the population that:

- The other party's vision and security strategy contradicted Palestinian national interest sand served foreign agendas.

- The other party's security forces were illegitimate militias and their leaders 'internal foes' and 'collaborators'.

- Those who worked for the other party's security forces did so to serve personal interests.

- The opposing party's purchase of weapons, cars and other equipment served the personal interests of individual leaders, increased their personal power and destabilised governance structures.

- The opposing party systematically tortured and abused the human rights of members of the other group.

Both sides recognised the major impact of such media campaigns in the Palestinian political landscape. Ending these campaigns hence became a key element of the national reconciliation process between Fatah and Hamas, which started in Cairo in February 2009. Decision-makers from both sides, as well as civil-society groups and journalists, called on members of both parties to stop incitements. They also stressed the importance of the local media for promoting dialogue and unity.

In February 2009, a group of journalists published an open letter in a Palestinan newspaper calling for the media to end incitement. The signatories recommended a number of measures to encourage reconicliation.

Measures to end media incitement:

- "Releasing all detained journalists;

- Allowing the various local media outlets to work freely both in the West Bank and in the Gaza Strip;

- Bringing local media administrations in front of their legal responsibility to stop the ongoing exchange of defaming and violence-inciting statements;

- Denouncing the involvement of any institution in deliberate incitement against standards of professionalism;

- Opening the doors of all media institutions, mainly Palestine TV and al-Aqsa TV to members of contending factions in respect of the principles of freedom and exchange of opinions;

- Requesting all Arab satellite channels to avoid broadcasting statements and events that adversely affect the achievement of Palestinian unity;

- Denouncing publicly if any satellite channel broadcast any programme contradicting the media profession and the Palestinian cause;

- Calling for stopping incitement by Palestinian politicians against some of the satellite channels in order to minimize the risks faced by Palestinian correspondents working for those channels."

Author: Husam Ezzeddin, Palestinian journalist, Al-Ayyam Newspaper, February 2009.

Torward a professional code of ethics

Preventing hate campaigns is a precondition to strengthening the role of the Palestinian media in a national dialogue. Yet, this dialogue cannot take place without media guidelines. The current media legislation has a very broad approach of media ethics. General principles such as 'objectivity', 'balance' and 'integrity' cannot, on their own, provide Palestinian journalists with guidelines on how to handle security-related information.

An important step towards Palestinian national reconciliation would be the development of a professional code of ethics for the media. Hundreds of Palestinian journalists, media editors and civil society representatives already signed such a code of ethics in 2006. However, the code did not specifically handle the coverage of security-related information. Furthermore, Palestinian journalists still complain about the lack of commitment to the document and the reluctance of editors-in-chief to implement it.

For these reasons, the code should be revised and include specific guidelines on security-related issues, such as:

- Accuracy in conveying information.

- Protection of the confidentiality of sources.

- Caution in spreading news that potentially create tensions and trigger violence.

- Prohibition of incitement and hate speech.

- Promotion of dialogue and conflict resolution initiatives.

Why are codes of media ethics important?

"Good journalism is in the interest of the public. It offers news that is accurate, fair and balanced, gives voice to the voiceless, and contains the diversity of views that a specific story demands. While free to be partisan, it must clearly distinguish between facts, comments and opinions – unlike 'propaganda journalism', disguised 'missionary journalism' or tabloid journalism, which serve specific causes or interests. All good journalists should pay continual attention to codes of ethics."

Source: Haraszti, Miklós (ed.), The Media Self-Regulation Handbook. *OSCE, Vienna, 2006, p. 22.*

Conclusion

In times of peace and stability, the media coverage of security-related issues is a key element for transparency and accountability in the security sector. In the current Palestinian context, unreliable security information destabilises the security sector, exacerbates the internal conflict and worsens the population's feelings of insecurity.

In situations of armed conflict, the public requires access to trustworthy information. Instead of providing people with the necessary tools to understand the challenges facing their society, partisan media have seriously undermined the security and stability in the Palestinian Territories.

Developing professional guidelines for journalists and informing them about their rights and duties when covering security-related information are key measures for helping the media in the promotion of dialogue and reconciliation.

Key recommendations

✓ End partisan media campaigns.

✓ Adopt a binding media code of ethics that promotes accuracy in the coverage of security matters.

✓ Develop media programmes in support of dialogue and reconciliation.

Notes

[1] See Khalaf, Khalaf (2009) *The Role of the Partisan Press in Disseminating Rumours and Its Impact on Political Development in the West Bank and Gaza Strip* (Unpublished MA Thesis), Nablus: Al-Najah National University, 2009.

Conclusion

In this publication, Palestinian media experts and civil society representatives argue that the media should play an important role in overseeing the security sector. The authors have described the main challenges facing the Palestinian media in this task. Confronted with systemic difficulties in reporting on security matters, Palestinian journalists are often afraid of exerting their informal oversight function.

The contributors have identified external factors as major obstacles to the media's task: the persistence of the armed conflict against the Occupying Power, the severe restrictions on movements imposed by Israel, and the separation between the West Bank and the Gaza Strip prevent local journalists from covering crucial security issues. Additionally, the Palestinian political environment is still very weak. The contributors have stressed that it is difficult to demand that the local media informally oversee the security sector as long as formal oversight actors, particularly the executive, legislative and judiciary authorities, do not reach a satisfactory level of independence and efficiency. The authors have thus underlined that the role of the local media in security sector oversight can only be strengthened if it is part of a general effort to develop well-functioning, legitimate and accountable security sector institutions. This effort should also be shared by media institutions as they become increasingly free and independent.

The key recommendations are outlined below.

➢ Define shared values

According to Emad Al-Asfar, one of the main sources of tensions and misunderstandings between Palestinian media institutions and security providers is the lack of a common definition of 'security'. The word 'security' itself, Al-Asfar argues, requires to be jointly defined by all sides, since it traditionally entails a dimension of secrecy and fear which are radically opposed to the concept of transparency in the media. Yet, Al-Asfar points out that in their daily work, Palestinian journalists and security officers should be driven by the shared values of impartiality, objectivity and professionalism. A starting point for bridging the gap between the media and security forces might be to recognise the need for all of them to commit to these values. If they commit to shared values, all stakeholders in the security sector will also be able to communicate better.

➢ Develop the legal framework

Freedom of expression and opinion are guaranteed by the Palestinian constitution and played a major role in the Palestinian state-building process. Palestinian authorities granted important legal protections to the media because, by building a new normative framework, they aimed to distance themselves from practices of military and political censorship associated with foreign powers. Yet, Juman Quneis shows that Palestinian authorities gradually restricted the Palestinian legislation regulating activities of the media and security forces. Inconsistencies between the constitutional and ordinary legal framework have prevented Palestinian journalists from clearly understanding the limitations defined by the authorities. In the absence of a law on access to information, Palestinian journalists continue to rely on their informal networks and personal contacts to acquire security-related information which they should normally be entitled to obtain on behalf of the citizens.

➢ Limit interference in media activity

Because of ongoing military operations, insecurity and internal tensions, the media's day-to-day work is comparable to war journalism. In this context, Palestinian journalists are often caught between fires, targeted or threatened by armed groups, confused with political activists or active participants in illegal demonstrations. In conformity with the reports of Palestinian organisations monitoring violations against journalists, Nahed Abu Tu'aimeh has identified killings, intimidations and closures of media outlets as recurrent abuses against Palestinian journalists. Yet, the author has also underlined obstacles inherent to the Palestinian media environment, such as the employment of non professional contributors who also work for the security forces and the lack of training and capacity-building programmes for journalists. The author affirmed the need for media institutions to improve their internal regulations and procedures in order to be able to accomplish their task.

➢ Strengthen independence

Samih Mohsen has described the re-emergence of the 'security media' in the Palestinian context as a significant setback on the path to media independence. Caught in the internal conflict between rival political factions since 2007, the Palestinian media have been increasingly involved in both Hamas' and Fatah's propaganda campaigns. This trend has drastically undermined the media's ability to cover security issues in a systematic and independent manner. Consequently, Palestinian media institutions have gradually stopped being the main source of information for Palestinian citizens who in turn lost trust in local media reports. Mohsen shows that this is a major obstacle to the development of a locally-owned vision of security. He also argues that it makes media and public discourse on security sector governance and reform rely on external concepts and visions.

➢ Promote dialogue and reconciliation

Instead of supporting an informed debate on security sector governance, the official Palestinian media belonging to the main conflicting political parties have engaged in incitement to hatred, which affected the public debate on key security issues. Khalaf Khalaf has shown that the Palestinian media was discredited for spreading rumours and publishing unchecked information. The issues of security management, budget and strategies, as well as the composition and operations of the security forces in the West Bank and in the Gaza Strip have been at the core of the ideological struggle between Hamas and Fatah. Many journalists have been embedded in each conflicting party's ranks and have acted as their spokespersons, with disregard for basic ethical standards. According to Khalaf, the development of media codes of ethics could constitute an opportunity for the Palestinian media to really play their oversight role.

➢ Strengthen the media for better governance

As these five contributions have underlined, there is a critical need to develop the media's capacity to report independently and in a reliable manner. This would help to strengthen the role of the Palestinian media in security sector governance. Despite external and internal obstacles affecting Palestinian civil-democratic oversight institutions, the Palestinian media are aware of their crucial role in enhancing transparency and accountability in the security sector. The media's role needs to be strengthened in order to promote a legitimate and well-functioning security sector.

List of Contributors

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