GDI

**Government Defence
Integrity Index**

2020

Country Brief:

PALESTINE

The question of Palestinian statehood has been one of the most complex and pressing issues on the international agenda. The decades-long conflict with Israel is one of the world's most intractable,[1] and negotiations between the two parties have ground to a stalemate in recent years.[2] The Trump administration's policy shift towards an assertively pro-Israeli stance, emboldened Israel to draw up plans to annex the West Bank, although these were subsequently suspended.[3] Regardless, Israel continues to build settlements, systematically repress and attack civilians,[4] and maintain its fifteen-year blockade of Gaza, despite the huge costs for civilians.[5]

Member of Open Government Partnership	▶	**No**
UN Convention Against Corruption	▶	**Has not ratified.**
Arms Trade Treaty	▶	**Has not signed.**

For their part, the Palestinian Liberation Organisation in the West Bank, Hamas in Gaza, as well as affiliated and independent armed groups, have waged an asymmetrical conflict, involving protests, civil disobedience, and attacks against Israeli forces and civilians.[6] As a result of this insecurity, Palestine has one of the highest ratios of security personnel to civilians in the world and the security forces' budget accounts for nearly one third of the total resources of the Palestinian Authority,[7] the semi-autonomous government in charge of the West Bank.[8] Though Palestine has no military per-se and despite the existence of two parallel security regimes in the West Bank and Gaza,[9] Palestine's security forces are largely formalised and institutionalised, with the National Security Force (NSF) considered to be the 'army-in-waiting'.[10] However, the security forces' current governance arrangements create significant corruption vulnerabilities throughout the apparatus. Parliament's dissolution has centralised power in the hands of the executive and external oversight of the sector is weak despite the efforts of audit bodies. Defence procurement is highly vulnerable to external and political influence, although open tendering practices show signs of promise. Access to information and budget transparency are extremely poor, while nepotism undermines formal personnel management systems.

Middle East & North Africa

Defence sectors across the Middle East & North Africa (MENA) region continue to face a high risk of corruption. At the same time, protracted armed conflicts in Syria, Libya, and Yemen persist, while public protests against corruption and authoritarianism continue in a number of countries – reflecting an overall context of insecurity and fragility. Although some governments have publically committed to stepping up anti-corruption efforts, there remains a gap between existing legislation and implementation in practice. Military institutions in the region are characterised by a high degree of defence exceptionalism, resulting in a lack of transparency that precludes oversight actors from effectively scrutinising defence budgets and policies at a time when defence spending and arms imports continue to surge. These concerns are further compounded by authoritarian governance systems seen in many MENA countries. Resurgent protests and uprisings in the region after the 2011 Arab Spring demonstrate that corruption is a central and persistent public grievance.
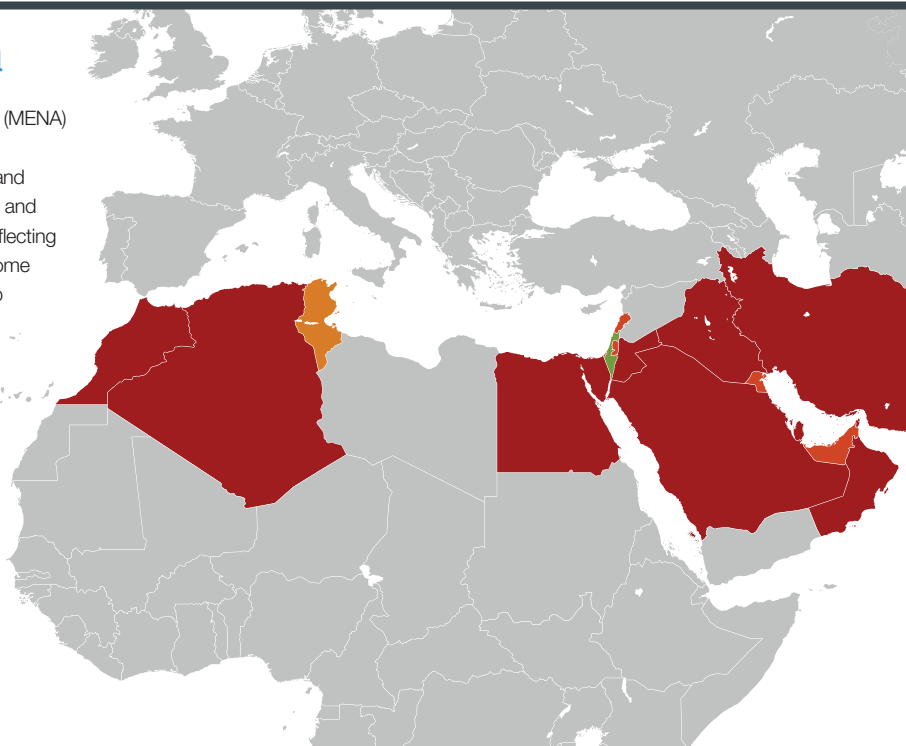
1 Kali Robinson, 'What is the US Policy on the Israeli-Palestinian Conflict?', *Council on Foreign Relations*, 11 February 2021.
2 United Nations, 'Prospects for Peace Between Israelis, Palestinians Remain Remote as Ever, Secretary-General Stresses', PAL/2238, 8 December 2020.
3 Dov Waxman, 'Israel Suspends Formal Annexation of the West Bank, but its Controversial Settlements Continue', *The Conversation*, 13 August 2020.
4 Human Rights Watch, 'Israel's Systematic Repression of Palestinians Continues During Pandemic', 1 October 2020.
5 The Euro-Mediterranean Human Rights Monitor, *Suffocation and Isolation: 15 Years of Israeli Blockade on Gaza*, Euro-Med, January 2021.
6 Human Rights Watch, 'Israel and Palestine: Events of 2019'.
7 European Council on Foreign Relations, 'Security Forces', *Mapping Palestinian Politics*, 2021.
8 Zack Beauchamp, 'What is the Palestinian Liberation Organisation? How About Fatah and the Palestinian Authority?', *Vox*, 14 May 2018.
9 European Council on Foreign Relations, 'Security Forces.'
10 European Council on Foreign Relations, 'Security Forces.'
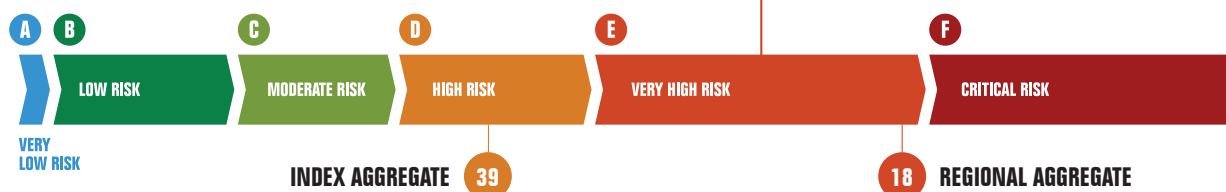
PALESTINE

Overall scores

The size of the colour band corresponds to number of countries that fall into that category.

PALESTINE SCORE
VERY HIGH RISK

E

27

A	B	C	D	E	F
	LOW RISK	MODERATE RISK	HIGH RISK	VERY HIGH RISK	CRITICAL RISK

VERY LOW RISK

INDEX AGGREGATE **39**

18 REGIONAL AGGREGATE

A ‣ 83-100 VERY LOW   **B ‣ 67-82** LOW   **C ‣ 50-66** MODERATE   **D ‣ 33-49** HIGH   **E ‣ 17-32** VERY HIGH   **F ‣ 0-16** CRITICAL

Risk Comparison

POLITICAL
PALESTINE
REGION AGGREGATE
INDEX AGGREGATE

27
21
46

FINANCIAL
PALESTINE
REGION AGGREGATE
INDEX AGGREGATE

21
45
39

PERSONNEL
PALESTINE
REGION AGGREGATE
INDEX AGGREGATE

30
53
40

OPERATIONAL
PALESTINE
REGION AGGREGATE
INDEX AGGREGATE

8
5
16

PROCUREMENT
PALESTINE
REGION AGGREGATE
INDEX AGGREGATE

14
23
37
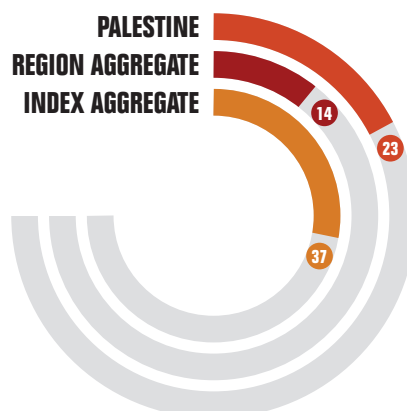
Parliamentary Oversight

Legislative oversight of budget (Open Budget Survey, 2019)	**Not ranked.**
Military expenditure as a share of government spending (SIPRI, 2020)	**Data is not publicly available.**
Committee members with defence expertise (%)	**No such committee exists.**
# of meetings/year	**No such committee exists.**
Last review of defence policy/strategy	**No such strategy exists.**

The last parliamentary elections, held in 2006, resulted in a Hamas majority and a brief civil war in 2007 between the two dominant parties, Fatah and Hamas, as a result of which the parliament was left in a state of paralysis.[11] After more than a decade of complete deadlock and inactivity, Palestinian leader Mahmoud Abbas dissolved the legislature entirely in 2018,[12] and elections initially scheduled for May 2021 have been postponed.[13]

A lack of parliament has seen Abbas exercise full law-making authority in the West Bank, while Hamas has convened a makeshift legislature in Gaza. As a result, despite formal provisions for oversight by a standing committee in the Palestine Legislative Council,[14] no such council exists and there is a complete absence of parliamentary scrutiny. Auditing practices are similarly ineffective. Though internal and external auditing mechanisms are formalised, they are not active. The internal audit unit's assessments are superficial and procedural, and not subject to publication or release to external institutions. In the absence of a legislature, the State Audit Bureau is heavily dependent, financially and politically, on the executive, jeopardising its independence. Its reports are not published nor are its recommendations enforced by formal follow-up mechanisms, resulting in them being regularly ignored.

Financial Transparency

Defence-related access to information response rates	**(1) % granted full or partial access: Data is not publicly available.**	
	(2) # subject to backlog: Data is not publicly available.	
Defence-related complaints to ombudsman/commissioner #	**No such body exists.**	
Does the commissioner have authority over the MoD?	**No such body exists.**	
Audit reports on defence (2015-2020) #	**Data is not publicly available.**	
Open Budget Index (IBP, 2019)	**Not ranked.**	
World Press Freedom Index (RSF, 2021)	**Not ranked.**	

The paralysis and subsequent dissolution of the Legislative Council in 2018 has severely undermined government transparency, with Abbas centralising decision-making power as a result and Hamas making only small efforts to further transparent governance.[15] Partly as a result of this, the sector's financial transparency is extremely poor, with the authorities making only a limited amount of information available. The published defence and security budget is highly aggregated with often only a top line figure provided for such expenditure, without any breakdown or additional details and justifications.[16] The existence of extra-budgetary funding, from international assistance for instance,[17] further complicates the picture as this revenue is not systematically reported and published, leading to official figures being an under-representation of the true resources dedicated to defence and security. On the other hand, controls around off-budget spending and military-owned businesses are strong, ensuring that such practices are extremely rare and proper systems of checks and balances in place to regulate them. A key obstacle to increased financial transparency is the absence of formal access to information frameworks. There is currently no legislation or guidelines that provide the public, journalists or civil society with rights and mechanisms through which to access government information on defence. Despite legislation having been proposed,[18] it has not been ratified for a number of years and its applicability to the security services has been questioned. Journalists and the public face significant obstacles to talking about sensitive issues such as defence and the security forces, and in both the West Bank and Gaza have repressed freedom of expression rights.[19]

11 Samer Anabtawi and Nathan J. Brown, 'Why Mahmoud Abbas Dissolved the Palestinian Parliament – and What it Means for the Future', *The Washington Post*, 18 January 2019.
12 Mahmoud Barakat, 'Palestinian Factions Slam Verdict Dissolving Parliament', *AA*, 23 December 2018.
13 Nathan J Brown and Zaha Hassan, 'Slightly Dialling Back the Cynicism About Palestine's Upcoming Elections', *Carnegie Endowment for International Peace*, 4 March 2021.
14 Palestinian Legislative Council, 'PLC Rules of Procedure,'.

15 See for instance, Omar Shaban, 'Hamas Budget a Small Step Toward Transparency', *Al-Monitor*, 21 January 2013.
16 See for instance, Ministry of Finance and Planning, 'General Budget: 2018'.
17 See for example, United States Department of State, 'Second FY 2016 Report to Congress on U.S. Assistance for Palestinian Security Forces and Benchmarks for Palestinian Security Assistance Funds,' 4 December 2017.
18 AMAN, 'Right to Access to Information Reports: 2015-2019'.
19 Human Rights Watch, 'Two Authorities, One Way, Zero Dissent', 23 October 2018.

Personnel Ethics Framework

Whistleblowing legislation	**Anti-Corruption Law (2010)**
# defence-sector whistleblower cases	**Data is not publicly available.**
# Code of conduct violations	**Military: Data is not publicly available.**
	Civilian: Data is not publicly available.
Financial disclosure system	**# submitted: Data is not publicly available.**
	# of violations: Data is not publicly available.

In the 25 years of limited Palestinian rule, the Fatah-dominated Palestinian Authority in the West Bank and the Hamas in Gaza have used security forces to repress dissent, silence critics, and clamp down on protesters.[20] With regular reports of corruption and abuses of power,[21] it is clear that significant gaps exist in the ethics and anti-corruption frameworks that apply to the security forces. Despite a formal code of conduct being in place for military personnel, it fails to include corruption-related issues and the guidance is generally vague. Equally, enforcement is poor, and breaches are rarely investigated and do not result in sanctioning.[22] Though the code of conduct for civilian personnel is more robust and covers corruption-related aspects, its enforcement is similarly patchy and violations are rarely investigated. Additionally, weak whistleblowing legislation exposes personnel to persecution when reporting corruption. Though general legislation exists, it does not have specific procedures and is weak on both protections and the issues that it covers, failing to provide for anonymity, reversed burden of proof, and waiver of liability.[23] Accordingly, personnel have little faith that the system will provide protection should they report wrongdoing, as whistleblowers can suffer repercussions. Significant corruption risk also exists in the recruitment and promotion processes.

At senior levels, personnel are appointed largely based on connections and loyalty to the executive, circumventing formal recruitment processes and ensuring they are exempt from external scrutiny. Similarly, at lower levels, objective promotion processes are undermined by executive influence and appointments are often politically-motivated, opening the door for favouritism and nepotism in such decisions.[24]

Operations

Total armed forces personnel (World Bank, 2018)	**10,500**
Troops deployed on operations #	**None**

Though the security forces do not deploy personnel on operations as such, it is pertinent to analyse existing frameworks and policies related to military doctrine, operational training and monitoring and evaluation policies.

The Palestinian security forces do not currently have a doctrine identifying corruption as a strategic issue for the success of military operations.

As a result of the absence of strategic awareness of the issue, corruption is not considered an issue throughout the security apparatus and appropriate mitigation strategies are not in place. This has an impact at the training level, where anti-corruption barely features. When it does, this training is delivered by foreign partners and largely concerns administrative issues.[25]

Similarly, there is no policy or practice of monitoring and evaluating corruption risk in the field and no guidelines for personnel to facilitate the identification and mitigation of corruption risk during operations.

20 Human Rights Watch, 'Two Authorities.'
21 Amnesty International, *International Report 2020/21: The State of Human Rights in the World*, London, Amnesty, 2021, pp. 282-285.
22 Geneva Centre for the Democratic Control of the Armed Forces (DCAF), *Improving the Consistency of Palestinian Security Sector Legislation with the United Nations Convention against Corruption*, Geneva, 2015.
23 AMAN, 'Anti-Corruption Law', 20 June 2010.
24 AMAN, 'Transfers, Delegation and Secondment in the Civil Military Service', 2017.
25 See for instance, UK Defence Academy, 'Strategic Leadership Training for Defence and Security Leaders Around the World'.

PALESTINE

Defence Procurement

Military expenditure (US$ mil) (SIPRI, 2020)	**Data is not publicly available.**
Open competition in defence procurement (%)	**Data is not publicly available.**
Main defence exports – to (SIPRI, 2016-20)	**N/A**
Main defence imports – from (SIPRI, 2016-20)	**N/A**

As a result of Israeli demands for a demilitarised Palestinian state, Palestine has no formal army, air force or navy and no heavy weapons or advanced military equipment to speak of. Though Hamas smuggles in arms and missile components through Iran, Syria, Sudan and the Sinai, such flows should be distinguished from formal procurement processes.[26] Moreover, Palestine receives some materiel from international partners in the form of security assistance.[27] Nevertheless, formal procurement procedures still exist for the sector to fulfil requirements for largely non-kinetic goods and equipment. However, Palestine has no specific legislation covering defence procurement and no Ministry of Defence, with defence goods instead procured in line with the General Supplies Law within the Ministry of Finance.[28] The result is a stunted procurement planning process, which can forecast only a year into the future, and restricts long-term strategic

development. It also means that procurement can be opportunistic in nature, especially in the absence of a defined defence strategy. Moreover, Palestine' reliance on external assistance and donations make it highly susceptible to the influence of donor countries who can apply pressure to sway procurement decisions to their benefit. Though procurement oversight mechanisms are formalised, their effectiveness and independence are questionable. The State Audit Bureau and internal auditing units have oversight powers over defence procurement, although they are subject to undue influence by politically-connected figures. As a whole, the politicised nature of the security sector hampers the independence and authority of such bodies and limits the scope of their activities. Equally, though most tenders are published on the Ministry of Finance's website,[29] many contracts are funnelled to politically-connected companies, in particular businesses linked to Fatah leaders in the West Bank. Though oversight agencies have formal powers to question single-sourcing, they do not have powers to cancel such procedures and political influence can be exerted to avoid serious investigation.[30]

26 Adnan Abu Amer, 'Hamas Opens Up on Arms, Missile Supplies from Iran', Al-Monitor, 16 September 2020.
27 Alaa Tartir, 'A Perspective on the International Donations for the Palestinians,' *Alaraby Aljadeed*, 6 January 2018.
28 Ministry of Finance and Planning, 'General Procurement Law for PA', General Supplies Department, 2000.

29 Ministry of Finance and Planning, 'General Supplies Department, 2021.
30 Palestinian Anti-Corruption Commission, *Annual Report 2018*, 2019.

PALESTINE 2020 GDI Scorecard

GDI Government Defence Integrity Index

	Grade	Score
Political Risk	E	27
Q1 Legislative Scrutiny	D	33
Q2 Defence Committee	F	0
Q3 Defence Policy Debate	E	25
Q4 CSO Engagement	D	33
Q5 Conventions: UNCAC / OECD	A	100
Q6 Public Debate	C	63
Q7 Anticorruption Policy	F	0
Q8 Compliance and Ethics Units	E	25
Q9 Public Trust in Institutions		NS
Q10 Risk Assessments	F	0
Q11 Acquisition Planning	F	8
Q12 Budget Transparency & Detail	F	13
Q13 Budget Scrutiny	F	0
Q14 Budget Availability	E	25
Q15 Defence Income	E	17
Q16 Internal Audit	F	6
Q17 External Audit	F	13
Q18 Natural Resources	A	100
Q19 Organised Crime Links	C	50
Q20 Organised Crime Policing	F	13
Q21 Intelligence Services Oversight	F	0
Q22 Intelligence Services Recruitment	F	0
Q23 Export Controls (ATT)	A	100
Q76 Lobbying	F	0

	Grade	Score
Financial Risk	D	39
Q24 Asset Disposal Controls	D	38
Q25 Asset Disposal Scrutiny	E	25
Q26 Secret Spending	F	0
Q27 Legislative Access to Information	F	0
Q28 Secret Program Auditing	F	0
Q29 Off-budget Spending	A	100
Q30 Access to Information	F	0
Q31 Beneficial Ownership	A	100
Q32 Military-Owned Business Scrutiny	A	100
Q33 Unauthorised Private Enterprise	C	50
Q77 Defence Spending	E	19

	Grade	Score
Personnel Risk	D	40
Q34 Public Commitment to Integrity	D	42
Q35 Disciplinary Measures for Personnel	B	75
Q36 Whistleblowing	F	8
Q37 High-risk Positions	F	0
Q38 Numbers of Personnel	C	58
Q39 Pay Rates and Allowances	A	100
Q40 Payment System	C	50
Q41 Objective Appointments	F	8
Q42 Objective Promotions	E	31
Q43 Bribery to Avoid Conscription		NA
Q44 Bribery for Preferred Postings	C	50
Q45 Chains of Command and Payment	C	50
Q46 Miltary Code of Conduct	D	38

OVERALL COUNTRY SCORE

VERY HIGH RISK E 27

RISK GRADE

A ▸ 83-100 VERY LOW
B ▸ 67-82 LOW
C ▸ 50-66 MODERATE
D ▸ 33-49 HIGH
E ▸ 17-32 VERY HIGH
F ▸ 0-16 CRITICAL

A B C D E F

VERY LOW | LOW | MODERATE | HIGH | VERY HIGH | CRITICAL

	Grade	Score
Personnel Risk	D	40
Q47 Civilian Code of Conduct	D	38
Q48 Anticorruption Training	D	33
Q49 Corruption Prosecutions	F	8
Q50 Facilitation Payments	C	50

	Grade	Score
Operational Risk	F	8
Q51 Military Doctrine	F	0
Q52 Operational Training	E	25
Q53 Forward Planning	F	13
Q54 Corruption Monitoring in Operations	F	0
Q55 Controls in Contracting	F	0
Q56 Private Military Contractors		NS

	Grade	Score
Procurement Risk	E	23
Q57 Procurement Legislation	E	25
Q58 Procurement Cycle	C	58
Q59 Procurement Oversight Mechanisms	E	25
Q60 Potential Purchases Disclosed	F	0
Q61 Actual Purchases Disclosed	F	0
Q62 Business Compliance Standards	F	0
Q63 Procurement Requirements	D	42
Q64 Competition in Procurement	C	50
Q65 Tender Board Controls	E	31
Q66 Anti-Collusion Controls	C	50
Q67 Contract Award / Delivery	E	25
Q68 Complaint Mechanisms	D	33
Q69 Supplier Sanctions	C	58
Q70 Offset Contracts	F	0
Q71 Offset Contract Monitoring	E	19
Q72 Offset Competition	F	0
Q73 Agents and Intermediaries	F	0
Q74 Financing Packages	F	0
Q75 Political Pressure in Acquisitions		NS

KEY

NEI Not enough information to score indicator
NS   Indicator is not scored for any country
NA   Not applicable

GDI

Government Defence Integrity Index

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