

Flygtningenævnets baggrundsmateriale

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Fråga-svar

Palestinska områdena. Palestinska myndighetens organisation

Fråga

Hur är den palestinska myndigheten organiserad?

Vilka olika ministerier finns? Vilka är deras respektive ansvarsområden?

Svar

Gaza och Västbanken har sedan 2007 separata regeringar. Försök pågår att bilda en enhetsregering men hittills har detta inte kunnat genomföras. (Ma'an News 2012)

Palestinian Academic Society for the Study of International Affairs (2009) beskriver den palestinska myndighetens organisation. Västbanken delas in i elva förvaltningsområden¹, Gaza i sex. Dessa områden är underställda *Ministry of Local Government* och samarbetar med borgmästare och byråd i de olika distrikten. Vidare nämns några ansvarsområden som ligger på kommunal nivå (skola, vatten, el m.m.).

The Palestinian National Authority (PNA or PA) is an interim administrative organization that governs parts of the WBGS. It was established in 1994, pursuant to the Oslo Accords between the PLO and the government of Israel, as a fiveyear transitional body during which final

¹ PA utövar inte full kontroll över Västbanken. Se "Figure 2. Map of West Bank PA Governorates; Areas A, B, and C; and Selected Israeli Settlements" (s. 22 i ovan nämnda rapport) för information om olika områdens status.

status negotiations between the two parties were to take place.

Following the arrival of the PA, the WBGS were divided into 16 Governorates (11 in the WB: Jenin, Tubas, Tulkarem, Qalqilya, Salfit, Nablus, Ramallah, Jerusalem, Jericho, Bethlehem, Hebron and 5 in the GS: Jabalya, Gaza City, Deir Al-Balah, Khan Younis and Rafah). Each of these is headed by a governor appointed by the President. The governorates are subordinate to the Min. of Local Government and cooperate with the mayors and heads of village councils in their respective districts.

Municipal and village councils have existed in Palestine since the British Mandate. In June 1967, the Israeli occupation authorities limited their powers and solidified their control over policies and budgets; the Arab Jerusalem Municipality Council was completely dissolved. Prior to the most recent rounds of local elections (from Dec. 2004 – Sept. 2005), the last municipal elections were held in Gaza in 1946, in the West Bank in 1976, and in Jerusalem in 1965. Since the arrival of the PA, the municipal and village councils took over administrative responsibilities (incl. water, electricity, waste disposal, schools, planning and building control, road construction and maintenance, control of public markets).

As of 2008, there were 557 localities throughout the WBGS. Of these, 121 are municipalities, 12 local councils, 355 village councils or project committees, and 29 refugee camp directors. There are 20 local authorities that provide services for more than one locality. (PCBS, Local Community Survey, 2008).

The total number of local authority members was 4,214 in 2008, of which 563 (or 13/4%) were female (mainly in the West Bank). As for representation: there were 894 persons per member of a local authority in the WBGS (601 in the West Bank and 4,706 in the Gaza Strip). (PCBS, Local Community Survey, 2008). (s. 384)

MIFTAH, The Palestinian Initiative for the Promotion of Global Dialogue and Democracy, beskriver den palestinska myndighetens organisation. Uppdelningen i olika ministerier listas. Här finns också information om hur rättsväsendet är uppbyggt.

Current Palestinian Government Structure (Factsheet) (2005-12-03)

<http://miftah.org/Display.cfm?DocId=9055&CategoryId=4>

(Hämtad 2012-05-24)

Nedan är en länk till beskrivning av den palestinska myndighetens organisation och myndighetsstruktur. De olika ministeriernas mål/ansvarsområden räknas upp:

Palestinian National Authority, Palestine, Ending the Occupation - Establishing the State. Program of the Thirteenth Government. August 2009 (stycket *Sector Priorities, Policies and Programs*)

http://www.mideastweb.org/palestine_state_program.htm#_Toc238877118

(Hämtad 2012-05-24)

Congressional Research Service (2011) skriver övergripande om den palestinska myndigheten (*Palestinian National Authority - PNA or PA*)

The PA, although not a state, is organized like one—complete with democratic mechanisms; security forces; and executive, legislative, and judicial organs of governance. As mentioned above, the PA was organized in the mid-1990s to administer the Gaza Strip and specified areas within the West Bank.⁴⁵ Ramallah is its de facto seat, but is not considered to be the PA capital because of Palestinian determination to make Jerusalem (or at least the part east of the “Green Line”) the capital of a Palestinian state. The executive branch has both a president and a prime minister-led cabinet, the Palestinian Legislative Council (PLC) is its legislature, and the judicial branch has separate high courts to decide substantive disputes and to settle constitutional controversies, as well as a High Judicial Council.⁴⁶ The electoral base of the PA is composed of Palestinians from the West Bank, Jerusalem, and the Gaza Strip. (s.18-19)

Migrationsverket (2008) ang. myndigheten *General Authority of Civil Affairs*:

Palestinian Authority, General Authority of Civil Affairs (GACA) är en samordnande myndighet som enligt uppgift inom kort kommer att omvandlas till ett eget ministerium. Ett av myndighetens viktigaste ansvarsområden är att koordinera inresor i och utresor ur Gaza med Israel. (s. 7)

[...]

Enligt GACA drivs i princip alla PA-ministeriers verksamhet fortfarande vidare i Gaza, exempelvis hälso- och kulturministerierna liksom delar av inrikesministeriet är fortfarande verksamma och Ramallahregeringen betalar ut deras löner. (s. 7)

US Department of State (2012) ang. palestinsk polis/militär/underrättelsetjänst på Västbanken. Flera av dessa organisationer lyder under *Ministry of Interior*.

Six PA security forces operated in the West Bank. Many of the security forces are under the PA Ministry of Interior's operational control and follow the prime minister's guidance. The Palestinian Civil Police (PCP) have primary responsibility for civil and community policing. The National Security Force (NSF) conducts gendarmerie-style security operations in circumstances that exceed the capabilities of the civil police. The Military Intelligence (MI) agency, which is part of the NSF, handles intelligence and criminal matters involving PA security force personnel, including accusations of abuse. The MI is responsible for investigations into allegations of abuse and corruption involving PA security forces and can refer cases to court. The General Intelligence (GI) service is responsible for external intelligence gathering and operations; the Preventive Security Organization (PSO) is responsible for these matters internally. The Presidential Guard (PG) protects facilities and provides dignitary protection. Both the GI and PG report to the president, while the other services report to the PA Ministry of Interior. The Civil Defense service provides emergency humanitarian response services including firefighting. (s. 37-38)

PA General Administration for Reform and Rehabilitation Center sorterar under *PA Ministry of Interior*. (US Department of State 2012)

The PA General Administration for Reform and Rehabilitation Center, under the authority of the PA Ministry of Interior, operated a mechanism for reviewing complaints of prisoner abuse in civil prisons. (s. 33)

I en rapport från Birzeit University – Institute of Law (2006) finns ett längre stycke om *Tribal Affairs Department*, se s. 59. Bland annat finns information om departementets organisatoriska tillhörighet inom den palestinska myndigheten och organisationens administrativa organisation på regional/lokal nivå.

Palestinian Central Bureau of Statistics presenterar sin organisation på <http://atlas.pcbs.gov.ps/atlas/pages/directorates.asp> (Hämtad 2012-05-24)

Nedan är en samling länkar till några ministeriers hemsidor, med information om deras uppdrag, underavdelningar, emblem, kontaktuppgifter m.m.

Office of the Prime Minister

<http://www.palestinecabinet.gov.ps/default.aspx?Lang=en>

(Hämtad 2012-05-25)

Ministry of Interior

<http://www.moi.gov.ps/en/#>

(Hämtad 2012-05-24)

Ministry of National Economy

<http://www.met.gov.ps/ministry.aspx?lng=1&tabindex=100> (Hämtad 2012-05-25)

Ministry of Local Government

<http://www.molg.pna.ps/>

(Hämtad 2012-05-25)

Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

Källförteckning

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(Hämtad 2012-05-23)

Birzeit University – Institute of Law, *Informal Justice: Rule of Law and Dispute Resolution in Palestine*, 2006-11-14

<http://lawcenter.birzeit.edu/iol/en/project/outputfile/5/a391785614.pdf>

(Hämtad 2012-05-08)

² Congressional Research Service (CRS) är en avdelning inom USA:s nationalbibliotek Library of Congress.

Ma'an News Agency, *Abu Marzouq: Hamas and Fatah to meet in Cairo*, 2012-05-19

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The Palestinian Academic Society for the Study of International Affairs, *Palestine Facts - Government & Administration*, uppdaterad 2009

http://www.passia.org/palestine_facts/pdf/pdf2009/Govt.pdf

(Hämtad 2012-05-07)

US Department of State, *Country Reports on Human Rights Practices for 2011 - Israel and the Occupied Territories*, 2012-05-24

http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_1oad_id=186429³

(Hämtad 2012-05-28)

³ Rapporten finns även som pdf-fil (med sidnumrering); följ länken för att nå den versionen.