Annual report
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Coalition for Integrity and Accountability – AMAN

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The Advocacy and Legal Advice Centre, ALAC, is an integral part of AMAN – Transparency-International, Palestine. The Advocacy Centre differs from other supporting projects to AMAN’s core program, because of its direct contact with the people of various educational, cultural, economic and social backgrounds. The Centre provides Palestinian citizens with an easy and simple instrument to get involved in the process of fighting corruption through its services including awareness-raising and free legal advice. This is after it receives inquiries and cases from citizens and various organizations that are suspected of corruption. It also follows up these cases and matters with the concerned parties, which in turn are responsible for investigating and verifying the received information regarding the case. In particular, the Centre works on supporting the victims and whistleblowers by various means, such as support and legal advice, in addition of following up their cases with official parties. In 2012, ALAC provided legal advice and awareness-raising services to 1,140 beneficiaries, through outreach visits and other means of communication that the Centre provides. ALAC aspires to make a change in the issue of management by strengthening the values of integrity, transparency and systems of accountability, in order to limit various types of corruption and reinforce the culture of whistle-blowing on corruption cases as one of the major methods for fighting it. This is in addition to protecting whistleblowers, a fact that supports Palestine –TI’s capacity to pressure for adopting legislations and policies that contribute to fighting corruption. The Centre provides free services to everybody, and it can be reached via its hotline: 1800 180 180, through office visits, or emails. ALAC is careful to safeguard the confidentiality of information provided by the various parties, whether citizens or organizations. It is careful not to reveal the names of those who provide information, if this is what they request, with the exception of official complaints, which requires that the name of the complainant be revealed.
Report goals

1-This annual report aims to provide an analytic, descriptive database that describes the nature and content of citizen cases related to corruption, which were received by the Centre between the first of January and the end of December 2012.

2-Highlight the relationship with the official institutions and the extent of their cooperation.

3- The report highlights the main cases, which reached the center during the year.

4-To provide statistical material related to corruption that supports studies and research conducted by AMAN.

5-To develop activities and action plans from the cases received by the Centre, and make them top priorities through integrating them into AMAN’s activities next year.

Components of the report

The report is comprised of five parts: the first presents a summary of the most outstanding cases received by the Centre in 2012. The second part addresses all the contacts that the Centre received in statistic-form. It categorizes them according to a group of variables such as means of communication, gender, age, educational level, etc. It also looks into certain cases of suspected corruption, which were taken on and followed up by the Centre. The report’s third part demonstrates the prominent cases which were adopted and followed up by the Centre in 2012, in addition to analyzing the relationship with concerned parties over the said cases. The fourth part highlights the major activities implemented by the Centre in 2012. The report’s final section addresses the challenges and obstacles facing the Centre in addition to conclusions and recommendations.
Some of the cases received by AMAN’s Advocacy Centre in 2012, which were significant and deserve to be mentioned and highlighted in this report are as follows:

Local Government Committees suffer weakness in internal accountability

ALAC received several cases related to the performance of Local Committees. The cases demonstrated the mistrust or citizens’ lack of awareness to the role of municipal councils as references and monitoring bodies for the performance of the municipality. They didn’t report to the councils to solve their problems. In some cases, AMAN received requests for legal assistance, or complaints from members of municipal councils against the head of the council or a Ministry of Local Government official, related to his laxness in holding the mayor accountable. Members of local committees do not discuss such complaints within the local council as the first point of reference accountable for the performance of the head of the council. Moreover, the report addresses the weak role of members of local government committees in the activities of the municipality especially in regards to the mayor’s control over the decision-making process.

Here, the role of these councils should be contemplated, including the extent of their effectiveness and the mechanisms needed to revive this role and uncover the reasons that prompt people to report to other institutions rather than to the local council itself.

In regards to the nature of cases for which the applicants asked for support and legal advice, these revolved around the misuse of public positions, nepotism, cronyism and favoritism, whether in appointments or in bidding or leasing local council properties, in addition to cases of embezzlement and squandering public money.

In this regard, AMAN believes that action should be taken to promote transparency, integrity and accountability in the performance of local councils, municipalities and village councils, on the one hand, and to work on empowering members of the councils to enable them to play their main role of monitoring and account-
There is a need to empower members of the local government committees to enable them to play their basic role of monitoring and accountability, in addition to the need for more work with the codes of conduct.

Transparency of employment in public positions is still under suspicion by competitors

Although the General Personnel Council adopted a set of procedures to guarantee integrity of employment in government positions in 2012, some of those competing over job vacancies are still complaining of a lack of integrity or of nepotism and favoritism in the employment process. When following up on the causes for such claims, it became clear that the reason for such complaints was attributed to the failure of ministries and official agencies to publish information pending the conclusion of the employment procedure. This should have been achieved by publishing the results of written and oral exams to avoid any suspicion surrounding this process.

Halting work with the condition of security safety for public positions

The Advocacy Centre received several cases from citizens requesting advocacy for their right to assume public jobs without the imposed condition of obtaining a certificate for security safety. Some of them complained that they were denied the job because of this condition. This is despite the Cabinet decision issued on April 24, 2012 which stipulates the halt of employment on condition of security safety measures. After confronting some of those institutions, some acknowledged their adherence to the decision, while still giving the complainants the right to assume the position. However, others said the position had already been occupied, saying the complainant could apply for any new job and become part of the competition once again. These institutions reaffirmed that they honored the Cabinet decision but could not implement it retroactively. The Centre also obtained information from the public about Gaza Strip employees, who are still paid monthly
salaries from the Palestinian National Authority, but are meanwhile working other jobs, whether in the public or private sector; some even left the Strip entirely.

Continuing work on a condition of security safety is a blatant violation of the Cabinet decision. The fate of 45,000 Gaza Strip employees on strike needs to be decided.

Hospitality houses and government cars reflect the squandering of public money in light of the financial crisis

In 2012, AMAN received a number of cases which fell under the category of squandering public money. One of the most prominent cases was the continued misuse of government vehicles. Despite a decision two years ago to justify the use of vehicles, the lack of regulations and clear procedures that set penalties for anyone who misuses government vehicles, presented an opportunity for some to circumvent this decision and continue to use these cars for their personal use. After communicating with the Ministry of Transportation, we confirmed that the Cabinet’s failure to ratify regulations so far, means its hands are tied in terms of the confirmed cases of the misuse of cars after official work hours on unofficial business. That is, after the ministry seized the car, it would be forced to release it and return it to the official institution because of the lack of any disciplinary procedures or approved sanctions.

AMAN also received information from people claiming that some officials benefit from hospitality apartments and receive transportation fees at the same time. This calls for a reconsideration of the policy of hospitality apartments, their expenses and the criteria for who is eligible to benefit from them, particularly in light of the PA’s current financial crisis.

Apartments used for hospitality must be cancelled along with a halt to the use of government cars outside official working hours.
Systems and units for receiving complaints need activation

In 2012, a number of citizens approached AMAN through the Advocacy Centre, asking for advocacy and aid concerning the failure of some ministries and official institutions to follow up on their unanswered complaints. This reflects the ineffectiveness of the system for complaints, which offers no follow-up or response to the people’s complaints. Our follow-up with some institutions showed that some provided answers to the people’s complaints, while others failed to respond. It is worth mentioning that the system of complaints in any organization obligates officials to provide citizens with answers to their complaints.

When some official institutions fail to deal seriously with their system of complaining, this prompts a feeling of mistrust among citizens in the current system and may encourage them to approach other institutions for help. Therefore, the extent of effectiveness of these units in official institutions should be reconsidered and evaluated.

| There is a need to revive and institutionalize the role of units that receive complaints in a manner that enables them to achieve their goals. |

Whistleblowers on corruption are subjected to pressure and retaliation

In 2012, AMAN received requests from citizens asking for help after blowing the whistle on corruption cases; instead they were threatened, laid off from their jobs and subject to arbitrary measures. The cases required intervention by the Anti-Corruption Commission to protect them, in light of a reality that allows arbitrary layoffs by employers under the pretext of ‘reconstruction”, according to provisions of the Labor Law. This runs contradictory to the goal of protecting whistleblowers as stipulated in the Anti-corruption Law. Therefore, a system of protection is needed and should provide protection for whistleblowers as part of a law or executive regulation.

| A law or executive regulation for the protection of whistleblowers should be issued as soon as possible. |
757 people of both sexes approached the Advocacy Centre in 2012. They chose different methods of approaching the Advocacy Centre, as demonstrated in the following figure:

Means of communication with the Centre

The selected means of communication used by those who approached the Centre in 2012 were the following: phone calls, office visits, emails, sealed envelopes and faxes, distributed as follows: Calls to the hotline: 66%. This was expected since the hotline is the fastest and easiest way to contact the Centre. Office visits: 29% with an increase of 6% from last year; 3% for emails, while faxes and sealed envelopes constituted 2%. The percentages reflect the complainants desire to contact the Centre directly rather than indirectly.

Distribution of those who approached the Centre according to gender

Figure 2 demonstrates the distribution of those who approached the Centre according to gender. The percentage of males who reported to the Centre was 78.5%, while the percentage of females was 21.5% with an increase of 1.5% from last year.

We can see from the figure that the rate of males who approached the Centre was much higher than that of females. This is due to a number of reasons: according to data from the Palestinian Central Bureau of
Statistics on the labor force in Palestine in the fourth quarter of 2012, the rate of males was 69.2% of the force, while females’ comprised 17.9% of the force in Palestinian society. This means that the rate of males in the workforce is higher than females, a fact that makes them more exposed and witness to corruption and hence they are the ones who report more on it. This is in addition to asking for support and legal advice in this regard. Moreover, social constraints may be one of the considerations that hinder women from following up on issues of corruption and enduring the consequences of whistle-blowing on the one hand, and which also makes her less capable of moving within and interacting with community issues, on the other. It is worth mentioning that this percentage matches the international ratios registered by various advocacy centres in various branches of Transparency International, particularly in underdeveloped countries in Africa and Asia which reached 18% by the end of 2011. Consequently, branches of Transparency International call for quick action to work on a plan to raise awareness among women on whistle-blowing.

Geographic distribution of complainants

Figure 3 illustrates the contacts of citizens with the Advocacy Centre according to their places of residence. The percentage of those who approached the Centre from cities was 75.9%; from towns 11.6%; and from villages, 12.5%. It is worth mentioning that residents of cities were the most likely inform about corruption cases due to various factors, first and foremost because cities constitute centers of official and unofficial institutions and private corporations, in addition to the presence of various media.
outlets, workshops and conferences where the Centre was promoted. Moreover, the lack of logistic capabilities and difficulties in movement may pose an obstacle to the involvement of residents of villages and towns in the process of fighting corruption. This necessitates offering awareness activities to residents in Palestinian towns and villages whereby the Centre motivates them to inform about and fight corruption in their communities so that their complaints reach officials, whether individuals or institutions.

Source of learning about the Centre

In 2012, the sources of learning about the Advocacy Centre by citizens was through several means: radio advertisements, promotional banners, the Centre’s awareness activities in governorates (meetings with the people and institutions), the website, daily newspapers, TV, citizens who previously approached the Centre, or from people who heard about the Centre through the abovementioned methods and advised their colleagues (the friends) about it.

The highest percentage of learning about the Centre was through radio advertisements, which was 43%. The reason for such a high percentage is due to the broad access to this method in several large geographic areas. As for those who learned about the Centre from promotional banners, awareness activities and the website, they constituted 24%. 12% learned about the Centre from their friends.
This part of the report attempts to provide a statistical view of suspected cases of corruption in terms of the work sector of those who addressed the Centre, the relevant parties in the cases, the nature of the suspected corruption case, the outcome of follow-up with the case, in addition to characteristics of those who brought forth the cases such as: gender, level of education, age, place of work, and their relationship with case in question. The number of suspected corruption cases adopted by the Advocacy Centre in 2012, reached 63 cases, illustrated as follows:

Distribution of those who filed cases according to their work sector

Figure 5 shows that in 2012, the percentage of those who filed a case of suspected corruption from the public sector was 29%, while the percentage of those in private businesses (working for their own interest) was 19%. The percentage of those who filed cases of corruption suspected from the civil sector was 14%. The percentage of unemployed people who filed cases was 14% with 8% from private sector employees.

Given the above figures, we can see that the high percentage of cases filed from the public sector is due to the fact that this category includes the largest sector of employees in Palestine. Furthermore, they are also the most knowledgeable in the process of managing public money and affairs since they are part of this process. Given the parties that were targeted in the complaints, we can find a link between the high percentage of complainants from the public sector and the high percentage of corruption cases in ministries and offi-
cial non-ministerial institutions, as demonstrated in the following figure. Compared to the previous year, it shows that the number of whistleblowers from among civil sector employees has increased in comparison to the drop in whistleblowers from the public sector. The reason for this because the civil sector was targeted by the Advocacy Centre through field visits in cooperation with civil institutions, in addition to the increase in the number of partner institutions with AMAN, which in turn worked on raising awareness of the importance of participation in the anti-corruption process. This is also in addition to all of the training courses and workshops given, which promoted the capacities of this sector and raised awareness among its employees, which increased their involvement in fighting corruption. The workshops also provided them with information on the nature of services offered by the Advocacy Centre in AMAN.

Distribution of cases according to institution

The institutions listed in Figure (6) took the lion’s share of cases which were followed up by the Advocacy Centre on suspicions of corruption. The percentages were distributed in a slide as follows: ministerial institutions have the highest rate of suspected corruption cases at 38%. The next was public institutions at 28.5%, followed by local committees at 16%, the civic institutions at 8% and security and military institutions at 8%. Finally, the percentage of public shareholding companies which manage public facilities and which are included in the private sector, stand at 1.5% of the cases received and taken on by the Advocacy Centre.
The distribution of cases according to the type of practices suspected of corruption

Types of practices suspected of corruption in cases adopted by the Centre in 2012 revolved around the misuse of job positions, which stood at 32%. The percentage attributed to the embezzlement of public money and bribery was 14%; squandering public money came third at 13%; followed by political corruption and the condition of security safety at 10%; cronyism, nepotism and favoritism stood at 7%; and forging official documents by public officials at 1%.

In addition to the above categorization, the Centre received cases related to conflict of interests, which stood at 4%, but which are not recognized by law as a form of corruption. Nonetheless, they are considered one of the reasons that lead to acts of corruption.

Distribution of cases according to outcomes of the Centre’s follow up

After a year of work and follow-up on suspected cases of corruption, the Centre was able to close 63% of them in cooperation with official parties. The cases are distributed as follows:

50% percent of the cases were successively closed after official parties adopted the necessary measures to end circumstance of the complaint. 5% were closed after investigations showed there was no sign of corruption,

while lack of evidence was the reason for closing 5% of the cases, 3% of which were closed after the complainant withdrew his complaint.
The Centre also closed 8% of the cases because of a lack of cooperation from concerned parties. The major parties in this regard were: the General Personnel Council, the Water Authority, the General Commission of Regulation and Administration and the Ministry of Local Government. The Centre is still following up with official parties on 30% of the 63 cases suspected of corruption.

Distribution according to the type of complainants and to their relation to the case

In 2012, the type of people who approached ALAC on cases of suspected corruption differed in terms of their relation to the case. Some of them were victims of such practices and others were whistleblowers. Their distribution was as follows: whistleblowers on cases of suspected corruption stood at 52.5% while the percentage of victims from suspected corruption practices was 47.5%. Here, we notice the high percentage of whistleblowers, which means that citizens are motivated to report on cases even if they are not victims of the alleged corruption. This motivation was a result of the campaigns launched by the Centre in 2012, whether via radio stations, outreach visits or hearing and accountability sessions which contribute widely to motivating people to report about corruption even if they are not its direct victims. Moreover, other activities carried out by AMAN through its the various projects were also focused on confidence-building within a culture of whistleblowing among citizens.
The distribution of complainants according to gender

Both males and females participated in filing cases of suspected corruption in 2012. The percentage of males stood at 84%, and females at 8%; Furthermore, those whose gender remained unidentified by the Centre because they sent information without revealing their identity, constituted 8% of the complaints. The figures underline the need to target women in particular through the Centre’s campaigns and various activities in order to raise their awareness and motivate them to participate in fighting corruption.

The distribution of complainants in accordance to age groups

Age is one of the most important characteristic of the complainants, and which the Centre seeks to examine and analyze in order to develop the necessary plans to motivate age groups with lower participation, while further encouraging the most active participants in fighting corruption. The data revealed that in 2012, the age group of 41-50 participated the most in reporting on cases of corruption, standing at 35%. Perhaps this is normal, given that this age group is often the most stable in their jobs and more informed about work, and the patterns and forms of corruption. This group is followed by the age group of 31-40; the Centre adopted 30% of their cases from the entire number of cases in 2012. The remaining percentages were distributed among other age groups above 60, standing at 3%. Accordingly, it is necessary to direct the focus of all institutions concerned with fighting corruption towards the age group 31-40. This group needs motivation to become involved in corruption whistleblowing, since they are going to be in the work force for many years, which means that they will be a decisive factor in fighting corruption.
The distribution of complainants according to their level of education in 2012

Figure (12) shows the level of education of those who approached the Centre on cases of suspected corruption in 2012. The biggest percentages of complainants were BA graduates, standing at 46%. Bachelor’s degrees constitute the biggest group of degree holders of higher education in Palestine. Complainants with high school degrees or less comprised 11%, while diploma holders constituted 8%; Masters degrees 5% and PhD degrees 1.5%.

Geographic distribution of complainants according to places of residence

Figure (13), illustrates the geographic distribution of those who approached the Centre with suspected cases of corruption, according to their places of residence in 2012. The percentage of complainants from the following governorates was the following, in descending order: Ramallah and al-Bireh 49%; Nablus 13%; Hebron 8%; Jericho and the Jordan Valley 6%; Tulkarem and Salfeet 5%; Bethlehem, Jenin, Jerusalem and Gaza 3%. 
Analysis of relationship with official parties

AMAN believes that cooperation with official institutions is vital to achieving success in fighting corruption. Therefore, we need to look at the extent of cooperation from official institutions in dealing with these cases.

In 2012, cooperation from institutions varied in addressing cases brought before them by the Centre. Some of the institutions were more responsive and faster, while others were not responsive at all.

The West Bank

The following are among the institutions which showed notable cooperation with ALAC in 2012, regarding cases of suspected corruption and who participated in hearing sessions and workshops on these cases: the Ministry of Justice, Ministry of Transportation, Ministry of Communication and Technology, Ministry of Finance, Ministry of Interior, Ministry of Education, Ministry of Social Affairs, Ministry of National Economy, Ministry of Tourism and Antiquities, Ministry of Prisoners & Ex-Prisoners, State Audit & Administrative Control Bureau, Palestinian Cabinet, High Judicial Council, Palestine Economic Council for Development & Reconstruction (PECDAR), Palestinian Central Bureau of Statistics, Palestine Monetary Authority, Water Authority, Union of Palestinian Teachers, Al-Najah University, Palestine Cellular Communications Co. (Jawwal) and Wataniya Mobile.

The following are institutions which showed little cooperation on cases received by the Advocacy Centre: The General Personnel Council, Land Authority and the General Commission of Organization and Administration; it should be noted that the General Personnel Council participated in a workshop organized by AMAN in 2012. Still, we are seeking better cooperation from all parties in regards to cases we receive. We also hope to be able to close all pending cases with their cooperation, particularly with parties with whom we signed memorandums of understanding such as the General Personnel Council.
The Gaza Strip

In Gaza, the ramifications of the political split were felt on the work of the Centre in the Gaza Strip, since it significantly hampered the Centre’s ability to receive complaints in this period. The Centre’s nature of work was inconsistent in regards to official parties, which prompted it to concentrate on awareness-raising through establishing strong partnerships with the people and local institutions; this is in addition to explaining the nature of the Centre’s work to the official parties and the importance of cooperation between these parties and the Centre on complaints related to corruption. This allowed for a broader base for the centre’s work. In the future, the Centre will tackle certain topics through awareness campaigns, which it will organize this year.

One of the most outstanding achievements of the Centre in Gaza in the previous period is an increase in the level of awareness among the people regarding the concepts of integrity, transparency and accountability, in addition to the consequences of remaining silent about corruption. This is in addition to achieving a preliminary agreement with some universities to adopt or include a course on fighting corruption in their curriculum, particularly in the law and media departments.
The Advocacy and Legal Advice Centre held a number of workshops and accountability and hearing sessions throughout 2012 based on cases it received, resulting in the recommendations according to the following.

**First: accountability and hearing session and workshops**

**New system for the electricity tariff and fees for electricity connection**

Advocacy and Legal Advice Centre held a hearing and accountability session with Dr. Omar Kittaneh, head of the Energy Authority and of the electricity regulation council on the new tariff system and fees for electricity connection. The main purpose for holding this session was to promote the concept of accountability, especially since it is a new concept that needs adoption for anyone who manages public services and public funds. Dr. Kittaneh presented a brief presentation on the reforms made to the Palestinian electricity sector. Within the legislative framework, the draft law of 2009 was issued on the public electricity sector in addition to several regulations, instructions and decisions regarding licensing and setting straight all of the parties working in the electricity sector. At the institutional level, the electricity regulation council was set up and given monitoring and executive authorities in the electricity sector. Dr. Kittaneh explained that in the past, the parties responsible for electricity distribution (distribution companies, local councils and some cooperatives) were the parties that determined the tariff, even though this constituted a conflict of interests. They also used to set it unjustifiably high without any basis for its calculation. For example, the hospitality expenses of some municipalities would be added to the electricity bill and paid by citizens. However, after
the electricity law was issued and ratified by the PNA President, according to which the electricity regulation council was founded, this council began to calculate the tariff according to international standards. Tariff calculation was done according to four policies recommended by the council:

**First:** that it take into consideration difficult social cases;

**Second:** that it take into consideration production sectors (agricultural, industrial, etc.)

**Third:** that it take into consideration geographic locations and the policy of steadfastness;

**Fourth:** that it take into consideration the government’s capabilities and its budget in compensating electric companies for the decrease in tariffs so that they do not deplete their funds. This is in addition to taking into consideration the issue of unified tariffs throughout the homeland.

The energy authority president stressed on the need to obligate all distribution companies to set the new tariff, publish it and inform the consumer about it on their bills. Most companies have adhered to this and the remainder have pledged to commit in the upcoming electricity bills. Kittaneh also clarified that a special system was ratified for electricity connection fees, which was determined in the past as the tariff by distribution parties without clear standards or bases. For example, one person would be asked to pay a fee of NIS10,000 while a person in a similar situation would be asked to pay NIS8,000. Now the situation is different; all aspects of installing electricity lines and fees for connecting them to the houses and facilities have been determined; we are waiting for this to be published in Palestinian gazettes so it can be implemented by all companies. It should be noted that several of them have adhered to the new fees since they were issued.

The hearing resulted in a number of recommendations, the most significant being the following:

- The need for the Energy Authority and the electricity regulation council to oblige all electricity distribution parties to adhere to the new tariff, ratified by the Cabinet.
- The need to ratify the amended electricity draft law to ensure the punishment of electricity thieves and also to revive the pursuit of consumers who do not pay their bills; also in order to decrease the lost percentage of electricity, which would enable distribution companies to abide by the new lower tariffs.
- The need for the Energy Authority and the electricity regulation council to obligate distribution parties to inform consumers of the new tariff through printing it on their bills.
- The need for the electricity regulation council to expedite the implementation of a system and mechanism
for filing complaints and disseminating this to the public to ensure monitoring over the new tariff and the quality of the electricity services offered.

- The need to unite consumer protection associations and for them to adhere to professionalism and stay removed from political pulls so they can assert themselves strongly as representatives of Palestinian consumers in managing this sector. There is also a need for sectoral and qualitative specialization in these associations.
- Reaffirmation of the approach that the next board of directors for the electricity regulation council should be largely independent of government parties and that there should be the broadest possible representation of consumer protection, the private sector and the civil sector.
- Expediting the publication of connection fees in Palestinian gazettes and obliging distribution companies to implement them.

Accountability session on mechanisms to guarantee an honest, transparent and accountable system regarding the project to set up renewable energy generation stations

The Advocacy and Legal Advice Centre held a hearing and accountability session for Dr. Omar Kittaneh, head of the Energy Authority and the electricity regulation council on the project for organizing renewable energy. This session was held from the standpoint of AMAN’s concern over those who oversee the preparation and drafting of regulations regarding the project so that they do so based on the principles of integrity, transparency and accountability. This is whether in regards to procedures for tenders and competitive offers for renewable energy projects in a way that will guarantee equality, equal opportunity and transparency in these tenders; or in regards to procedures for granting licenses and mechanisms for calculating the special tariff for renewable energy, mechanisms for grievances and appeals to decisions issued in this regard. From this standpoint, it was agreed in cooperation with the energy authority and the electricity regulation council to hold this session to listen to criteria and approaches adopted in preparing the abovementioned regulations and to answer inquiries and complaints from some parties in this field. This is especially because some of these complaints point out that the delay in preparing and issuing these regulations have caused financial losses for the PNA from which Israel benefits.
Workshop to discuss the report on the status of transparency, integrity and accountability in Palestinian universities

Based on information received by the Centre and relevant complaints, the Advocacy and Legal Advice Centre found it necessary to prepare a report on the status of integrity, transparency and accountability in the work of Palestinian universities (public and government), and to determine the challenges surrounding the atmosphere in which they work in order to reinforce their immunity against corruption and to employ their limited resources. The report illustrated a number of issues, most importantly:

1. There is a legislative problem in the education law’s addressing of the various kinds of universities; this law does not have enough provisions to organize the various types of universities.
2. Lack of independence of some universities in their decisions given that the Education and Higher Education Ministry are members of their boards.
3. In regards to tenders, although there are procedures organizing this process, there is still a lack of periodicity in forming tender and purchases committees.; mostly these committees are permanent for an unlimited period of time.
4. Another problem is the lack of publication of financial and administrative reports and data for universities.
5. In addition, the report showed that some boards of trustees and boards of directors of universities were appointed and not elected and that there was not periodicity in their election; the report also indicated to the absence of codes and rules of conduct inside universities.

The workshop came out with a group of recommendations, the most outstanding of which were the following:

• Conducting certain amendments to the regulatory law for universities, which is the Higher Education Law, especially in regards to the types of universities. Clear and straightforward provisions need to be drafted to
separate between categorization of universities especially in regards to government and public universities; clear rules, mechanisms and specifications need to be formulated so that there is no room for misinterpretation over what category this or that universities falls under.

- Creating an effective complaints system given the ineffectiveness of the enacted systems for complaints in universities and the fact that there is no clear mechanism for filing or responding to complaints.
- The need for a stipulation on the periodicity of electing members of the Board of Trustees and the Board of Directors in universities and setting a certain timeframe for their election cycle; also setting the number of times they can be elected.
- The need, as part of the universities’ bylaws, to stipulate the need for a clear system and a special memo to ratify financial disclosure, especially for those in high places.

Accountability session on the “grant for a dignified life” for freed prisoners

AMAN succeeded in pressuring towards ratifying a system for the “grant for a dignified life” for freed prisoners in coordination with the Prisoner and X-Prisoner Affairs Ministry. The Advocacy and Legal Advice Centre in AMAN received on 26/6/2012 a request for help from a group of prisoners freed in the Shalit deal; the prisoners claimed that the criteria by which the presidential gran for freed prisoners were not clear, which had created fertile ground for corruption. This came after the President of the PA made a decision to grant prisoners freed in the Shalit deal a financial grant to help them after the long hardships they suffered in Israeli occupation jails. The ramifications of this decision began to create some problems, whether in terms of impact and the financial burden of this decision on the PNA’s already exhausted coffers or in regards to the inequality and discrimination this decision created between the prisoners who were released in the Shalit deal and who benefited from the grant from one aspect, while other prisoners who were not released as part of this deal and who may have suffered just as much as the others, from another; and also between prisoners who are still behind Israeli bars from a third aspect. This prompted the
finance ministry, according to the general accountant, to add names of prisoners outside of the Shalit deal eligible for this grant in order to be fair in this regard. The media ran a number of contradictory pieces on this subject and about the value of the grant and the number of years and criteria required, which created confusion in the Palestinian street. For this reason, AMAN, though its Advocacy and Legal Advice Centre, began gathering information and found the following:

1. The decision making process for grants for prisoners released in the Shalit deal was carried out without any clear legal reference in this regard. This resulted in a decision that is not in line with the Palestinian prisoner law and secondary legislations issued on this, which are based on an already enacted system of payment for prisoners. It would have been better if the decision makers believed these legislations were unsuitable to amend them and not shun them.

2. The decision created a climate of inequality and discrimination between Palestinian prisoners. The attempt to address this problem opened the door to wasta, nepotism and conflicts of interest in terms of the names added to the deal. For example, employees at the Prisoner Affairs Ministry were added to the list of names, some of whom whose names were also on the list of beneficiaries from the grant. This represents a conflict of interest and exploitation of positions.

On July 12, 2012, AMAN held an accountability session on the grant for prisoners freed in the Shalit deal, attended by Prisoner Affairs minister Issa Qaraqe’, the general accountant Yousef Al Zumur, representatives of the Cabinet and the Anti-Corruption Commission, Social Affairs ministry and all parliamentary blocs at the PLC in addition to the Prisoners’ Club, Freed Prisoners Association, the Mandela Institute, Addameer, relevant civil society organizations and a group of freed prisoners.

The workshop was aimed at clarifying the circumstances – with the prisoner affairs minister and the general accountant – about the principles and mechanisms on which the grant was offered to some freed prisoners. This was part of AMAN’s efforts to concrete the principles of transparency, integrity and accountability in public action. The audience listened to a detailed explanation by the prisoner affairs minister and the general accountant on the circumstances surrounding setting these bases, preparing the lists and the process of cashing the grant. The general accountant pointed out that there was a group of prisoners freed in the Shalit deal who had spent more than 20 years in prison and who had been given the grant and that there were several others with the same criteria who did not get the grant, saying the decision’s execution had been halted.
Following a lengthy discussion by the audience, participants agreed on the need to adopt a group of foundations and criteria by which the dignified life grant should be carried out. They also agreed that it should be included in an official bylaw issued by the Cabinet as soon as possible. As a result of the workshop, the prisoner affairs ministry began the completion of this bylaw in which AMAN and relevant institutions participated and made notes on. The ministry then transferred it to the Cabinet for ratification on 18/12/2012. The Cabinet ratified the special bylaw for the dignified grant for freed prisoners, which guarantees equality among the freed prisoners and promotes an atmosphere of transparency in cashing the benefits. Hence, AMAN succeeded in creating a change in the system itself, thus guaranteeing equality and promoting continuity and sustainability in the work of this field.

Accountability session for the civil affairs commission

During a hearing session held on September 10, 2012, AMAN discussed the subject of granting permits to citizens to enter Jerusalem and the 1948 areas during the holiday season. [Al Eid], which the civil affairs commission attended. The session was held to explain the role played by official Palestinian parties in the wave of permits that were granted during the holidays and the impact this had on Palestinians in Jerusalem and inside in ’48 territories in addition to the economic situation in the West Bank. The meeting was held on the premise of the right of Palestinian citizens to access correct and accurate information from a certain official party at the appropriate time without having to constantly ask for it. This is to avoid any arguments or mistakes. Providing information makes the work of the official easier and makes citizens more aware. Palestinian viewpoints on this issue differed; businessmen and the Palestinian chamber of commerce said this wave of permits resulted in the siphoning of some Palestinian funds to Israeli merchants while other parties confirmed the Palestinians’ right to obtain permits to support religious tourism and Jerusalem, considering this an opportunity for new generations to connect with historical Palestine.
Mr. Ayman Qandeel, deputy assistant for the civil affairs commission pointed out during the session that the commission adopts the principle of the right to free movement for Palestinians and is working hard to increase the number of permits to achieve economic and commercial benefits and endorse freedom of worship; it also encourages new generations being introduced to historical Palestine. He added that there were many conflicting figures for the number of permits granted, saying the official number of permits granted during the holiday season was 150,000. This is in addition to Israel allowing men over 40 to enter Jerusalem in addition to allowing females of all ages to enter Jerusalem. During the workshop, Qandeel added that there were no specific criteria for people eligible to apply for permits, saying the commission ensured that it kept the lines of communication open with citizens to raise their awareness on the issue through local channels.

As for merchants, there is an agreement between the civil affairs and the chamber of commerce that gives the chamber of commerce responsibility for coordinating with the commission to grant commercial permits. Head of the Ramallah Chamber of Commerce announced that as representative of the merchants, that despite obtaining permits for various reasons including support for Jerusalem and getting to know historical Palestine, Israel’s goal remained purely economic; it wanted to reap benefits for Israeli merchants while the PA lost the clearance custom and Palestinian merchants lost as well. Hence, this process must be better organized at the Palestinian level in the future so that Palestinian interest is highlighted and losses are kept at a minimum.

The workshop ended with two recommendations:

- First: The necessity to support the right of Palestinians to move freely and without restrictions, something which requires coordinated efforts from relevant official parties and representative and civil institutions with the goal of obtaining advantages for the Palestinian people to reach Jerusalem and the rest of historical Palestine so the new generation can become familiar with it.
- Second: it is imperative that Palestinian parties of relevance meet to formulate clear policies to benefit from this move in the future; developing general policies through societal contributions will maximize profits while minimizing losses.
Second: Awareness-raising activities

Every year, the Advocacy and Legal Advice Centre team at AMAN holds a series of awareness activities given its belief in the importance of this process and its impact on the culture and behavior of individuals and hence, society. In 2012, the Centre carried out a number of campaigns to introduce the Advocacy and Legal Advice Centre and its goals and services in addition to campaigns to raise citizens’ awareness on concepts related to integrity, transparency, accountability and corruption, including its various forms and means and also ways of combating and not partaking in it; hence, encouraging citizens to blow the whistle on corruption. These campaigns were represented in the following:

**Outreach visits:** 17 awareness activities were carried out whereby 388 males and females’ awareness was raised. In light of the lack of Gaza citizens who inform about issues suspected of involving corruption, the Centre was particularly keen on carrying out these visits in the Gaza Strip to motivate people to participate in fighting corruption and blowing the whistle on it. Fourteen outreach visits were carried out in the Strip of an original 17.

**Campaigns through local radio stations:** Four campaigns were conducted through local radio stations in various districts, which addressed the following three subjects:

- **First:** Introducing the Advocacy and Legal Advice Centre
- **Second:** Security safety
- **Third:** Local elections

**Radio episodes:** Two radio episodes were carried out on the role of Palestinian media in fighting corruption and on reconstruction after the Israeli attack on the Gaza Strip.

**Newspaper advertisements:** Three advertisements were run in papers on the condition of security safety in obtaining licenses or public positions.
Conclusions and Recommendations

By the end of 2012, the Centre came to several conclusions and recommendations based on analyses presented in this 2012 annual report and from which we can conclude the following:
1. The need to implement the amended Palestinian Basic Law and the provisions of the punitive law on all public servants who exploit their jobs or positions and who fail to carry out decisions from the High Court of Justice or courts in general.
2. The need to revive the role of complaints units and departments and institutionalize them in a way that would enable them to achieve the purpose of their existence. The weakness in the work of complaints units and offices in ministries, public institutions and local bodies and the lack of response to citizen complaints and grievances negatively reflects on the issue of individual and societal accountability.
3. The need to create a law or implementing regulation for the anti-corruption law regarding the protection of whistleblowers on corruption cases. The lack of such a regulation constitutes an obstacle to those who want to fight corruption because no protection is provided for them. This is especially since some whistleblowers have been fired or threatened or have been subject to revenge measures.
4. The need to formulate a system or directives that guarantee the implementation of the Cabinet decision regarding the use of government cars and to mete out punitive measures for all those who try to overstep or manipulate it. The Centre still receives cases on the misuse of government vehicles and the transportation ministry still confirms that there are some people in the ministries and other officials who are overstepping the decision for organizing the use of these cars, adding that they are unable to hold these transgressors accountable. Based on this, in order to preserve public money and prevent its use in the service of private interests, we recommend the following:
5. The need for clear directives to be issued by the Cabinet to all public institutions on the need to adhere to transparency and enable citizens to exercise their right to access information and to also specify the nature of the information which is allowed and required for dissemination as opposed to other information that should be restricted from dissemination. The absence of transparency and the lack of disseminating information
and citizens accessing it according to some issues brought to light when presented to the Centre including appointments in public positions, contests that reach citizens through messages on their cell phones and the lack of response to citizen requests all constitute one of the reasons that promote the potential for spreading corruption in its various forms in all sectors. It is also considered an obstacle to allowing citizens to exercise their right to accountability.

6. The need to empower members of local council bodies so they can carry out their basic role assigned to them, which is monitoring and accountability in addition to the need to revive work on codes of conduct.

7. The need to strengthen the element of monitoring in non-ministerial institutions and over the performance of the security services and local bodies given the amount of cases against them and the weakness of relevant parties in following up and holding them accountable under the guise of financial and administrative independence and the misinterpretation of this concept.

8. The need to oblige all official institutions to implement the Cabinet decision No. 133 issued on 24/4/2012 halting work on the condition of obtaining security safety for positions and obtaining work licenses is met.

9. The need to continue promoting communications with public institutions to create links and connections that help to provide cooperation between the Centre and other public institutions so that cases can be followed up more quickly and to focus on the fact that corruption is an impeding factor to the growth and development of societies; also any lagging in its follow up and confrontation strips our society of advancement and development from various aspects. It is worth noting that there is cooperation from institutions with the Centre and AMAN. Hence the Centre was able to shut several files because of this cooperation in spite of the lack of cooperation from some public institutions such as the Land Authority, the General Personnel Council and organizational commission.

10. The need to focus on workshops and hearings carried out by the Centre based on the cases that come to it. Experience has proven that these workshops and meetings contribute to officials committing to these workshops, especially since they produce recommendations that are agreed on by the entire attendance, such as adopting the system for the dignified life grant for prisoners.

11. The need to focus on targeting women through awareness and the continued participation of women in coming to the Centre and benefiting from its services.