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Palestinian Centre Under Threat of Closure

By Khalil Shikaki

While PCPSR (Palestinian Center for Policy and Survey Research) needs support very much, what is needed most is a greater support for Palestinian civil society which is becoming less pluralistic day by day.

A stronger and more vibrant civil society can protect its own members but a weak and divided one cannot. PA cabinet regulations that affect PCPSR apply equally to all Palestinian NGOs that have been registered as non-profit companies. They regulations violate Palestinian Basic Law and violate the law they seek to regulate. The regulations are illegal and almost all of organized civil society have strongly condemned them.

The regulations aimed at weakening former Palestinian prime minister Salam Fayyad, who formed such an NGO (Palestine Tomorrow for Social Development) after leaving office in 2013. Fayyad refused to comply with the new regulations and we did the same. But most of the others complied with the regulations which require obtaining prior permission before receiving funding from any source, local or international. Requests by Palestinian NGOs are sent to the security services and the cabinet for approval along with a detailed description of the project and a detailed breakdown of its goals and activities, a budget breakdown, a list of beneficiaries, donors, etc. The PA accepts what it wants and rejects what it does not, thereby destroying pluralism in the society. It does not have to give any explanation for its decisions and the regulations do not provide a legal recourse in case of rejection.

As a result, Fayyad's NGO was forced to close down. We will probably face the same fate; it is a matter of time. We will cease to exist when we run out of existing resources and when all loopholes are closed. We have tried direct dialogue with the prime minister but abandoned it when nothing came out of it. We tried to mobilize parliamentary, media, and NGO support, and here, too, nothing came out of it. We explored the legal route but our former chairman of the board, who served as the Chief Justice and Head of the Supreme Judicial Council when Fayyad was prime minister; PCPSR's lawyer, who is also a former judge, advised us against it. Judges conveyed a message to our lawyer that the High Court cannot rule against the government and that it will have no alternative but to pass the issue on to the Constitutional

Court, a body that President Abbas created in order to bypass the High Court and to help him ignore the Constitution with full impunity by rubber-stamping important Abbas and PA decisions. Indeed, by the time we were ready to go to the High Court, that court and the entire judiciary had already lost much of their independence.

Surprisingly, when the PA cabinet adopted these regulations in late 2015, not a single voice in the cabinet dissented. The current PA elite is made up of non-democrats, some, such as the minister of justice and the attorney general, advocate anti-democracy measures, including new legislation that affects the media, civil society, and the judiciary.

Unfortunately, under present conditions of Palestinian division, total lack of accountability in the political system due to the absence of the parliament, the absence of an independent judiciary, weak media and civil society, and a general public apathy and despair, the slide toward authoritarianism is unstoppable.

ABOUT THE AUTHOR

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ABOUT ARI

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