CODE OF CONDUCT FOR THE PALESTINIAN NATIONAL SECURITY FORCES IN LEBANON

Issued on 20 March 2019
This Code of Conduct is issued by the Legal Support Unit to the Palestinian National Security Forces in response to the need of protecting our fellow Palestinian people inside the camps in Lebanon.

Palestinian police and Palestinian National Security Forces in Palestine are committed to a code of conduct for law enforcement officials and abide by Palestinian law. In Lebanon, the role of the Palestinian National Security Forces lies in maintaining security and order within the camps, under Lebanese law. In view of the reality of the Palestinian camps, a special Code of Conduct has been prepared for the Palestinian National Security Forces in Lebanon.

The purpose of this Code is to issue legal and national standards forming a guide that determines the duties of the Palestinian National Security Forces and regulates the relationship between them, our fellow Palestinian people and the Lebanese State, thus promoting the respect of human rights and public freedoms, as stipulated in Palestinian and Lebanese national legislations, and international treaties.
The articles of this Code are based on the following:

- The United Nations Principles on the Use of Force and Firearms by Law Enforcement Officials.
- International Covenant on Civil and Political Rights.
- Universal Declaration of Human Rights of 1948.
- Convention Against Torture.
- Declaration issued by the factions of the Palestine Liberation Organization and the Palestinian National Alliance in Lebanon on the protection of children from the effects of armed conflict and violence on 17 December 2013.

Preface

a. The Palestinian people uphold effective frameworks for equity and redress human rights grievances and violations on the basis of justice.
b. Human rights instruments, conventions and treaties, as well as codes of conduct, play an essential role in establishing the rule of law and justice among States, Governments, organizations and armed groups.
c. The Palestinian National Security Forces shall adopt and enforce this Code under the Lebanese law and on the basis of international human rights law to follow the example of States towards respecting the rights of individuals.
d. Within the boundaries of the camps, each member of the Palestinian National Security Forces should work towards protecting the individual's right to life, liberty and maintaining public security and social peace.
e. It is the responsibility of the leadership of the Palestinian National Security Forces to prepare and train their members for an improved performance and enhanced role.

Part 1: Mission

The role of the Palestinian National Security Forces, within the Palestinian camps in Lebanon, is limited to the defense and service of the people and to preserving security, order and public morals. The Palestinian National Security Forces in all their leadership bodies and formations are charged to serve the people and to realize public interest, in accordance with the Lebanese Law and
the regulations and instructions issued by the leadership of the Palestinian National Security Forces.

**Part 2: Duties**

1. The members of the Palestinian National Security Forces must maintain confidentiality on information in their possession, unless the performance of their duty or the requirements of justice demand otherwise.
2. The members of the Palestinian National Security Forces are prohibited from committing any act of corruption and must confront these acts with utmost rigor. Such acts include the commission or omission of any act during the performance of the duties of the official in charge of his or her responsibilities, such as responding to gifts, promises or incentives, whether requested or accepted. Acts of corruption also include unsuccessful or interrupted attempts to do so.

**Part 3: Qualifications and training**

As part of their duties, the leadership of the Palestinian National Security Forces and the Legal Support Unit trainers must train the members of the Palestinian National Security Forces professionally and in a continuous and comprehensive manner, with special attention to police and human rights issues, particularly in investigations and alternatives to the use of force and firearms, including the peaceful settlement of disputes, understanding public behavior, persuasion methods, negotiation and mediation, as well as technical means to reduce the use of force and firearms.

**Part 4: Rights and freedoms to be respected by the Palestinian National Security Forces while performing their duties:**

**Article 1: Respecting all human rights**
The Palestinian National Security Forces must ensure and safeguard human rights and fundamental freedoms.

**Article 2: Respecting the right to life**
The right to life is a sacred right under Lebanese, Palestinian and international laws. The protection of this right should be the utmost priority of the Palestinian National Security Forces. No one shall be arbitrarily deprived of his or her life, including during times of armed violence.
Article 3: **Prohibition of torture**
No one shall be subjected to torture or to cruel or inhuman treatment or punishmentvi.

Article 4: **Non-discrimination**
The Palestinian National Security Forces are prohibited from distinguishing between individuals on the basis of race, sex, color, religion, language, political opinion, national origin, birth, disability or any other basisvii.

**Part 5: The use of force and/or firearms:**

Section 1: General provisions

Article 1: The Palestinian National Security Forces should resort to non-violent means (such as negotiation, mediation and peaceful resolution) first, before turning to force and firearms.

Article 2: The use of force by the Palestinian security forces must always be proportionate to the situation and be limited to cases of urgent necessity and within the limits required for the performance of their dutyviii.

Article 3: Human life should be a priority and should be respected and safeguarded against hazards resulting in damage and injury.

Article 4: No disciplinary sanctions may be imposed on Palestinian National Security Forces members who refuse to carry out the order to illegally use force and firearmsix.

Section 2: **Exclusive** cases for the use of firearms:

Article 1: To fend off the imminent danger threatening a Palestinian National Security Forces member or others with death or serious injury, or to prevent the occurrence of an extremely serious crime inflicting a critical threat on one’s life.

Article 2: To arrest a person undoubtably posing such threats and who is resisting the Palestinian National Security Force’s authority, or to prevent his or her escape.
Article 3: Firearms may only be used to disperse violent assemblies after the use of non-lethal or less harmful means was proven ineffective.

Article 4: In all the above cases, a graduated use of force should be applied, while sticking to the principle of proportionality.

Section 3: Precautionary principle prior to the use of firearms

Article 1: Provide identification as Palestinian National Security Forces.

Article 2: Deliver a clear warning to the alleged perpetrator announcing the intention to use firearms and ensuring that the risk of harm to the population is mitigated to the greatest extent possible.

Section 4: Procedures to be followed after the use of force and firearms:

Article 1: Ensure medical assistance and first aid is delivered to the injured person by competent medical personnel as soon as possible.

Article 2: Notify the relatives or close friends of the injured person as soon as possible.

Article 3: Immediately inform your direct superior in case death or injury were caused due to use of force and firearms. A written report must be prepared by the person who shot and the responsible of the operation.

Article 4: Palestinian National Security Force officials must ensure that arbitrary use and abuse of force and firearms by members of the Palestinian National Security Forces is punishable and considered as a criminal offense under the law.

Part 6: Special protections

Article 1: Most of the international human rights instruments, in addition to many Palestinian legislations, have given special importance to certain categories of the population given their special status and vulnerability.
**Article 2:** The Palestinian National Security Forces must respect all the provisions of the Declaration issued by the factions of the Palestine Liberation Organization and the Palestinian National Alliance in Lebanon on the protection of children from the effects of armed violence, issued on 17-12-2013.

**Article 3:** The leadership of the Palestinian National Security Forces should prevent and end the recruitment and use of children (anyone under the age of 18) by armed forces and groups, be it for direct participation in combat or any other support function (e.g. logistical support, guarding, patrolling, receiving military training or manipulating weapons). Equally, children already associated with any armed actor should be protected as any other child survivor of violence; they should not be detained or abused and should be referred to child protection actors for protection purposes.

**Article 4:** The leadership of the Palestinian National Security Forces is committed to taking the necessary measures to train its officers and members in the field of women rights and their protection during armed violence.

**Article 5:** The leadership of the Palestinian National Security Forces is committed to protecting medical facilities and personnel, schools and universities during armed violence and clashes. Equally, the civilian character of medical and educational facilities should be preserved at all times. No attack on such facilities should be tolerated and concrete measures should be taken to avoid the military use of such institutions.

**Article 6:** All United Nations premises should be respected and not entered or used during armed clashes or violence. Such premises enjoy inviolability under international law, as laid out in the 1946 International Convention on the Privileges and Immunities of the United Nations. This inviolability applies at all times and is not subject to exceptions for military expediency.

**Part 7: Dissemination and implementation**

**Article 1:** The factions of the Palestine Liberation Organization in Lebanon have agreed to this Code.

**Article 2:** The members of the Palestinian National Security Forces adopt this Code of Conduct as a reference for them to guide their words and actions.

**Article 3:** The leaders of the Palestinian National Security Forces must provide regular training to their members on the items presented in this Code and
other topics related to their work, through the establishment of training courses including practical exercises, followed by testing and evaluation.

**Article 4:** The Palestinian National Security Forces must ensure that the implementation of this Code becomes part of the daily work of all officers and members and is keen to provide them with a model of behavior and ethics that will earn them the confidence and respect of citizens.

**Article 5:** This code is not confidential. It has to be widely published in order to show to the population and the authorities the rules of behavior which are respected by the members and leaders of the Palestinian National Security Forces.

**Article 6:** Exceptional cases of deviation from the rules of this Code may not be invoked.

**Article 7:** All leading bodies and elements in the security forces must respect the provisions of this Code and prevent any violations thereof. And they must face these violations in a decisive way through the establishment and activation of accountability mechanisms.

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Signatures, on the 20th of March 2019

On behalf of the Palestinian National Security Forces
Major General Sobhi Abu Arab
Commander of the Palestinian National Security Forces in Lebanon

On behalf of the Palestine Liberation Organization
Mr. Fathi Abu al Ardat, Abu Maher
Secretary General of the Fatah movement and PLO factions in Lebanon