



## MONITORING AND DOCUMENTATION DEPARTMENT JULY - SEPTEMBER 2006 FIELD REPORT

### Introduction

This is the third quarterly field report of 2006 by Al-Haq's Monitoring and Documentation Department, covering the period from July to September 2006. Al-Haq's field reports cover human rights abuses committed by the Israeli Occupying Power and the Palestinian National Authority (PNA) in the West Bank, including East Jerusalem. Each field report highlights a particularly important and disturbing trend observed by the Monitoring and Documentation Department during the reporting period.

Israel has occupied the West Bank, including East Jerusalem, and the Gaza Strip, together constituting the Occupied Palestinian Territories (OPT), since June 1967, despite binding United Nations Security Council resolutions ordering it to withdraw. Consequently, Al-Haq's monitoring and documentation activities have traditionally been directed towards the violations committed by the Occupying Power. However, following the creation of the PNA in 1994, Al-Haq also monitors and documents human rights violations perpetrated by the PNA.

The field reports are based on first-hand information gathered by Al-Haq's Monitoring and Documentation Department, covering a broad range of human rights abuses, including comprehensive coverage of killings, house demolitions, curfews, and deportations. Al-Haq's specially trained fieldworkers visit sites of alleged human rights violations, draw maps, draft reports and take sworn witness statements (affidavits) from victims and eyewitnesses. The affidavits excerpted or referenced in field reports, which are available on Al-Haq's web site, are samples of those gathered during the reporting period. The field reports do not cover the Gaza Strip, since Al-Haq currently has no fieldworkers there.

### The Human Rights Situation since the Outbreak of the Second *Intifada*

The human rights violations committed during the reporting period must be analysed in the broader context of the deteriorating general human rights situation since the outbreak of the second *intifada* on 29 September 2000, and Israel's persistent failure to apply international human rights and humanitarian law in the OPT.

According to Al-Haq's documentation, from the outbreak of the second *intifada* until the end of September 2006, 1,672 Palestinians were killed in the West Bank, 319 of whom were children, and 91 of whom were women or girls. It is estimated that 270 Palestinians were killed in targeted assassinations. During the same period, Al-Haq documented the demolition, for punitive reasons, of 496 homes in the West Bank (whereof 466 were totally demolished and 30 were partially demolished), leading to the displacement of 3,136 people. Israel has also carried out a large number of administrative house demolitions on the pretext that the houses were built without the required licence. Since the beginning of 2004, 383 houses have been demolished for lack of licence, 172 of which were in East Jerusalem.

Since the outbreak of the second *intifada*, the Occupying Power has almost completely eliminated the already limited authority of the PNA in the OPT. After the establishment of the new Palestinian government in March 2006, Israel's withholding of PNA tax revenues, arrests and revocations of ID of PNA officials and destruction of ministerial buildings, as well as major international donors' cessation of aid to the PNA, have rendered it unable to pay the full salaries of its civil servants and carry out its basic functions. These factors have aggravated the PNA's inability to uphold law and order in the OPT.

## The Human Rights Situation from July to September 2006

### Highlighted trend: beatings by soldiers

There was a clear increase in incidents of beatings of Palestinian civilians by Israeli soldiers during the reporting period. The beatings included instances of humiliating treatment, insults (see Al-Haq Affidavit No. 3140/2006) and confiscation or destruction of the victim's private belongings. Several cases involved serious bodily harm, the victim for instance being beaten to the point of losing consciousness (see Al-Haq Affidavits No. 3081/2006 and 3153/2006), bleeding (see Al-Haq Affidavit No. 3140/2006) and needing medical care (see Al-Haq Affidavit No. 3096/2006). There were also cases of Israeli soldiers preventing an ambulance from reaching a victim (see Al-Haq Affidavit No. 3140/2006) or beating wounded Palestinians (see Al-Haq Affidavit No. 3175/2006). Some beatings also involved feigned executions and/or death threats (see Al-Haq Affidavit No. 3140/2006).

"[The soldier] said, "Shut up, son of a bitch". I pointed out that I had spoken politely to him and asked him why he was talking to me in this manner. He then said, "I will show you the meaning of politeness", at which point he came down from his outpost carrying his machine gun. He approached me and started beating me with his hands and feet. I tried to ask him why he was attacking me, and at no point did I push him away. In the meantime my brother Muhammad ran to a police car which was parked approximately three metres away, where there were two policemen and one soldier. Those three came to separate us. The soldier who had assaulted me threatened to kill me and aimed the gun at my face. I did not know what to do. The two policemen and the other soldier tried to take him away from me, but he hit me in the face with his gun, injuring me on the bottom of my face. By the time the soldiers managed to take the soldier away from me, my wound had begun to bleed heavily."

**Extract from Al-Haq Affidavit No. 3140/2006**

Given by Ibrahim Khader 'Atallah (resident of 'Atsyon area / Beit Sakariya, Bethlehem Governorate, West Bank)

The motivation behind these beatings was generally hard to identify, with most of them appearing to be purely gratuitous. Some soldiers seemed to act on racist motivations. Suspicions of Palestinians trying to avoid going through checkpoints also seemed to motivate several of the beatings, which could be linked to the increase in checkpoints in the West Bank during the reporting period. Indeed, most of the beatings occurred at permanent or flying checkpoints, or in their vicinity. In at least one instance, the beating seemed motivated by a false accusation that the victim had hit an Israeli settler (see Al-Haq Affidavit No. 3138/2006).

"One of the soldiers dragged me outside the car while the others kept aiming their guns at my wife and children. My children started to cry and yell. I wanted to talk to the soldiers but they were shouting and dragging me. When I was out of the car, the soldiers started pushing me against each other. I was in a situation whereby I was unable to stand, or to talk to them. I was like a ball being kicked by every soldier amidst the shouts and yells of my wife and children. I tried several times to explain the situation to them, but all my attempts were in vain. I started to shout like them hoping that they might hear me, but again I failed. I did not know what sin my children and I had committed. Suddenly, I received a blow to my head which made me lose consciousness."

**Extract from Al-Haq Affidavit No. 3081/2006**

Given by Jawdat 'Abd-al-Fattah Gheith (resident of Hebron City, Hebron Governorate, West Bank)

Occasionally, individual Israeli soldiers or policemen tried to stop a beating and/or provide first aid to the victim (see Al-Haq Affidavit No. 3140/2006). Most often no such steps were taken. In general, the perpetrators of the beatings were not arrested. On some occasions, the victims themselves were arrested (see Al-Haq Affidavits No. 3140/2006 and 3138/2006). Many incidents of soldier beatings are either insufficiently investigated, or not investigated at all. When an investigation takes place, prosecution rarely follows. The victims are dissuaded from filing complaints with Israeli law enforcement agencies by the extremely low success rate of such complaints, as well as the hostile or humiliating treatment they often receive when trying to do so. This situation creates an environment of impunity, which in effect encourages more beatings by soldiers.

Some harassment by soldiers fell short of beatings. From mid-July to mid-September, occupying forces raided the city of Jenin on an almost daily basis, generally during the night, firing into the air and detonating sound bombs. Soldiers also used loud speakers to shout insults and curses.

## The Occupying Power

**Food, health and education.** The severe reduction in the PNA's financial resources, caused by Israel's withholding of PNA tax revenues and the cessation of aid to the PNA by major international donors, continued to limit access to health services, medicine and adequate food. Stocks of medicine have been depleted and a number of essential drugs have become unavailable. Public hospitals and health clinics suffered from lack of funds,

medicine and equipment maintenance, as well as growing absenteeism. A general strike in the public health sector since 23 August almost entirely eliminated access to non-emergency care. Hospitals and health clinics worked below full capacity and reduced or eliminated the provision of many services. Some PNA health workers began to receive financial support through a "temporary international mechanism" set up by donor countries. Schools were also severely affected by a general strike in the public education sector since 2 September, preventing approximately 800.000 students from attending their schools.

"The Israeli soldiers at the border crossing require a distribution certificate each and every time I cross, in addition to a quittance certificate issued by the Israeli Income Tax Authorities, my ID card, and a certificate issued by the Israeli Ministry of Trade. Unless I provide all these documents, I cannot pass through the border crossing. Two weeks ago, I was denied entry to Bethlehem and forced to go back to Jerusalem because I did not have a statement of goods, indicating what I was carrying in my car. Moreover, every time I travel to Bethlehem the car is subjected to a thorough inspection, which can take up to half an hour. In order to avoid these humiliating measures, I often go to Bethlehem via Beit Jala despite the fact that the route is much longer."

**Extract from Al-Haq Affidavit No. 3075/2006**

Given by Firas Karim Salem (resident of Silwan, Jerusalem Governorate, West Bank)

"I am the owner of a poultry shop in Jenin city. I have hundreds of customers, most of whom are civilian and military employees in the Palestinian National Authority. Like other shops, my shop depends largely on these government employees and officials... Unfortunately, government employees' salaries have not been paid in recent months due to the siege imposed on the Palestinian people by the outside world. This situation has drastically affected my shop's income, the sales of poultry having fallen by 60-70%."

**Extract from Al-Haq Affidavit No. 3068/2006**

Given by Na'im 'Abd-al-Rahim Milhem (resident of Kufr Ra'i town, Jenin Governorate, West Bank)

**Movement restrictions** imposed on Palestinians in the West Bank, including East Jerusalem, further increased. Checkpoints and various forms of road blocks hindered access to family, places of employment or worship, educational institutions, agricultural lands and markets. Movement restrictions were particularly severe in: the northern West Bank, where young men without special permits were prohibited from travelling south; the Jordan Valley, which can only be reached with a special permit or with an

ID indicating Jordan Valley residency; and the areas located between the Green Line and the Annexation Wall, most notably in and around occupied East Jerusalem. The West Bank was under total closure 20 July – 20 August and 22-25 September, denying all Palestinians with West Bank IDs access to occupied East Jerusalem, even those with valid permits.

The Occupying Power, which controls all access to the West Bank, continued to implement a policy of **denial of entry** into the West Bank of foreign passport holders, in particular Palestinian citizens of other states and foreign women. Al-Haq is unaware of reliable statistics on the number of such cases, but they are estimated to be in the tens of thousands since early spring, 2006. The affected individuals have been separated from their families, jobs and places of education. Previously, they had to leave and then return to the West Bank at least every three months in order to renew their tourist visas, which was the only kind of visa available to most people. Those who still remain in the West Bank are effectively encouraged to overstay their visa to avoid being denied re-entry, thereby further restricting their movement as they cannot pass through any Israeli checkpoint inside the West Bank. Others are discouraged from even trying to enter.

"I imagined my meeting with my wife and children, especially the youngest, Jana, to whom I am very attached. I imagined my meeting with my mother in Jerusalem, all the way dreaming of this reunion, not waking up until the words of the Israeli captain hit me. He said: "Mr. 'Abbas, you are denied entry."

**Extract from Al-Haq Affidavit No. 3196/2006**

Given by Alsumayda' Fakhri 'Abbas (resident of al-Masyoun neighbourhood, Ramallah Governorate, West Bank)

"The soldiers spotted Kamel and one of them moved towards him and shot him at point blank range. The soldier then fired two bullets at Kamel's body. Afterwards, I heard him say over his wireless in Hebrew, which I speak fluently, "I found an armed man and he is injured". A few minutes later I saw the soldier, who was wearing a mask, empty the bullets from his gun into my brother's body. I began screaming, "why did you do this, my brother is not wanted"."

**Extract from Al-Haq Affidavit No. 3175/2006**

Given by Zakariya Kayed Lubhani (resident of Qabatiya, Jenin Governorate, West Bank)

Al-Haq documented renewed instances of **wilful killing** of Palestinians in several cities in the West Bank, such as Qabatiya and Nablus. Killings were carried out by air strikes, by Israeli special squads and during search and arrest raids by Israeli occupying forces. The killings included targeted assassinations (the intentional taking of a wanted person's life by surprise attack as the result of a politically motivated policy decision) and executions of wounded Palestinians at point blank range (see Al-Haq affidavits 3115/2006 and 3175/2006).

**House demolitions** continued to be carried out throughout the West Bank, either under the pretext of the absence of a building licence, or as part of military operations. In the Nablus area, there were a dozen cases of punitive house demolitions carried out on the suspicion that a wanted person was hiding in the house and refused to exit. On 19-21 July, during military operations in Nablus City, the occupying forces demolished much of the local headquarters of the PNA.

At the very beginning of July, the Israeli occupying forces began a campaign of raiding charitable, cultural and religious organisations throughout the West Bank, almost always confiscating computers and/or files in the process. In some cases, the raids were accompanied by **property destruction** and/or the forced closure of the organisation. Over forty offices were raided during the reporting period. On 20 September, the occupying forces forced their way into fourteen money changing offices, mainly in the northern West Bank, as well as the National Jordan Bank in Nablus. Millions of Israeli shekels, among other things, were confiscated from the money changing offices. There were also numerous raids on ordinary houses, many of which involved destruction and/or confiscation of property in the raided home.

"The court issued a ruling suspending the demolition order, provided that we seal all the windows of the house with blocks and pay 80,000 shekels to the Municipality Fund. We did that on 21 August 2006. On the morning of 23 August 2006, we were surprised to see the Municipality staff, a large number of policemen and Border Guards and the Israeli Special Police Force, along with bulldozers which started demolishing the house."

**Extract from Al-Haq Affidavit No. 3123/2006**

Given by Muhammad Ahmad Zahayka (resident of Jabal al-Mukaber, Jerusalem Governorate, West Bank)

"We returned home after many hours of detention and found everything in our house destroyed – all the furniture, kitchen utensils and five televisions and five washing machines. In addition, a structure of 70 square metres that contained 16 sheep and a number of chickens had been demolished and fallen down on top of everything inside it. Only one sheep escaped death. We also had another structure in which there were two cars. It was destroyed as were both cars, which became unusable. Moreover, we lost seven thousand Jordanian dinars, 700 hundred shekels, and the jewellery of my wife, my sisters in law and my sisters, which was hidden in my mother's flat for an emergency."

**Extract from Al-Haq Affidavit No. 3142/2006**

Given by Nihad 'Adel Nadi (resident of Old 'Askar Camp, Nablus Governorate, West Bank)

Throughout the OPT, Israeli forces continued their policy of **land confiscation** and levelling in order to either expand or enclose existing Israeli settlements, or build Israeli infrastructure, most notably the Wall, including its gates. There was also creeping confiscation of land in the areas between the Green Line and the Wall, where severe movement restrictions continued to result in the inability of Palestinian land owners to farm their land.

“Typically, a military jeep would arrive, soldiers would get out and burn the lands. On each occasion the army prevented citizens from reaching their lands to extinguish the fire. The Israeli army also threatens to fire at us if we approach the Wall or are in the vicinity of it when they burn the lands. Moreover, they prevent the fire services of Toulkarem Municipality from entering the lands and extinguishing the fires. As a result, approximately 1,500 fruitful and productive olive trees have been burned every year, without us being able to do anything to protect our trees and lands.”

**Extract from Al-Haq Affidavit No. 3156/2006**

Given by ‘Abd-al-Karim Jamal ‘Umar (resident of Far’on village, Toulkarem Governorate, West Bank)

There were further incidents of Israeli **settler violence** against Palestinians, including children, in the West Bank, particularly in the Nablus and Hebron areas. Settlers carried out violent and sometimes lethal attacks against Palestinians, and destruction or attempted confiscation of their property and sources of livelihood, such as olive trees and livestock. Investigation of such incidents by the occupying authorities remained insufficient, amounting to systemic refusal to prevent or punish criminal behaviour, thereby effectively encouraging it. On occasion, the occupying forces responded to such incidents by detaining, arresting and/or fining the Palestinian victims. On 25 July, Mousa ‘Atiyya Hamamra had just crossed the bypass (settler) road that separates his house from the rest of the town, when he was shot in the face from a passing car (see Al-Haq Affidavit 3106/2006).

“I saw approximately six cars coming from east to west. They were small, private cars, the first of which I distinguished as a white Mitsubishi as it came towards me. I was surprised to see the car swerve out of its path, but before it hit me I quickly jumped away and got behind the fence on the side of the road. Before the car had driven away, I heard firing. Immediately, I realised that I had been hit in the face; specifically in my mouth. My set of artificial teeth fell to the ground, with blood, and I felt dizzy. I looked at the car which had opened fire at me and I realised that it was the white Mitsubishi car.”

**Extract from Al-Haq Affidavit No. 3106/2006**

Given by Mousa ‘Atiyya Hamamra (resident of Housan town, Bethlehem Governorate, West Bank)

In the wake of the **arbitrary arrests** of Palestinian officials at the end of the previous reporting period, three more Palestinian officials were arrested – the second deputy speaker of the Palestinian Legislative Council, Dr. Hasan Khreisha, on 6 July; the head of the Palestinian Legislative Council, Dr. ‘Aziz Dweik, and the deputy prime minister and minister of education Dr. Naser-al-Din al-Sha’er, on 19 August. A small number of the arrested officials have been released, which has enabled them to provide first-hand accounts of their conditions of detention and interrogation (see Al-Haq Affidavit 3118/2006). The majority of those still in detention have not been indicted for any individual acts but merely for membership of Hamas or the Change and Reform list constituted for the January 2006 legislative elections for the Palestinian Legislative Council. The officials appear to be held as hostages for the return of an Israeli soldier abducted from Israel into Gaza on 25 June 2006.

Approximately 750 Palestinians remained in **administrative detention**. Under this practice, the Israeli authorities detain a person on the basis of “secret evidence,” without formal charges or trial, for indefinitely renewable periods of up to six months. One of Al-Haq’s fieldworkers, Ziyad Hmeidan, was originally detained at Qalandiya checkpoint in May 2005 and placed under administrative detention in June 2005. An Israeli military order, issued on 17 July and entered into force on 30 July, extended his detention for another four months. On 30 July, an Israeli military court endorsed the order, which was upheld on appeal on 21 August by an Israeli military court of appeal. He has now spent more than one year and three months in administrative detention, without knowing the reasons for his detention or being able to defend himself against unspecified accusations. By the time the current order expires, Ziyad will have spent just under a year and a half in detention.

### The Palestinian National Authority

Al-Haq also monitors the Palestinian National Authority's (PNA) respect for international human rights standards in the OPT. To the extent that the PNA exercises some control over parts of the OPT, it is responsible for enforcing the law through effective and lawful measures. In recent times, the main problem encountered has been **vigilantism**, in which private actors use illegal coercive methods to achieve their own goals, the PNA being unable or unwilling to uphold law and order.

In September, there were several cases of (attempted) **property destruction** against places of worship, when armed Palestinians attacked churches belonging to various Christian faiths in the northern West Bank, using gun fire, Molotov cocktails and other means of arson. The churches generally suffered limited damage, mainly to the outside. In Nablus, one Orthodox, one Latin and one Evangelical church were attacked. The attacks on the Orthodox and Latin churches were carried out in the night, by masked people arriving in a car, firing bullets and throwing Molotov cocktails. People present at the Evangelical church identified one of the attackers. No perpetrators were held responsible for these acts, which appear to have been motivated by comments made by the pope, head of the Catholic Church, on 12 September.

There were six **extra-judicial executions** in Jericho prison on 4 August 2006. Around 3 pm, a white Volkswagen car with a red (PNA) license plate entered the yard of Jericho prison, carrying individuals wearing Palestinian police uniforms. They got out of the car brandishing weapons, killed one prisoner in the yard, and forced their way into the prison, shooting five more prisoners to death. The group then proceeded to leave the prison with no difficulties, apparently because the prison guards believed they were members of the Israeli special squads. The whole raid lasted for approximately ten minutes. The attackers were Palestinians exacting revenge on the brothers Marwan, Sufiyan, 'Udwan and Qasem 'Abdallah 'Imla, who were accused of killing some Fateh activists of the Faraj family. In addition to the 'Imla brothers, 'Abdallah Riyahi and Ra'ed al-Jimsawi were killed, apparently by mistake. Greater precautions should have been taken to safeguard the lives of these prisoners, especially in the light of a previous murder attempt on the four 'Abdallah brothers, approximately six months ago, when they were shot at in front of the court yard of Jericho prison. Due to the fear of reprisals, Al-Haq was not able to obtain sworn witness statements from any of the witnesses to the killings. While Al-Haq remains opposed to execution under any circumstances, extra-judicial executions are a particularly serious breach of due process and the right to life of the victims.



## MONITORING AND DOCUMENTATION DEPARTMENT JULY - SEPTEMBER 2006 STATISTICS

### KILLINGS

Total number of killings	37
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#### Special Types of Killings

Death in custody	3
Targeted assassination	13
Assassination in custody	2
Death at checkpoints	1

#### Special Types of Victims

Women	1
Children	6

#### Killings by District

Bethlehem	4
Hebron	-
Jenin	15
Jericho	1
Jerusalem	-
Nablus	15
Ramallah	2
Toulkarem	-

#### Killings by Age Group

Less than 12	-
13-17	6
18-25	16
26-35	8
36-50	5
Over 50	2

### **Killing by Perpetrator**

Israeli Occupying Forces	<b>9</b>
- Soldiers	<b>25</b>
- Special undercover units	-
- Snipers	<b>1</b>
Israeli Border Guards	<b>1</b>
Israeli Policemen	-
General Security Services	-
Settlers	<b>1</b>
Armed Israeli civilians	-
Collaborators	-
Others	-

### **Situation During Killing**

Normal/calm	<b>20</b>
Incursion	-
Demonstration and stone-throwing	<b>3</b>
Armed clashes	<b>6</b>
Shelling	<b>1</b>
Closed military area	-
Bystanders killed during attempted assassination	-
Unclear	-
Curfew	-
Raid	<b>7</b>

### **Methods of Killing**

Live bullet	<b>28</b>
Fragmented bullet	<b>3</b>
Rubber-coated metal bullet	-
Explosives and small missiles	-
Shrapnel	<b>1</b>
Mine	-
Tear gas	-
Blunt instrument	<b>1</b>
Sharp instrument	-
Missile	<b>3</b>
Medical Obstruction	<b>1</b>

### HOUSE DEMOLITIONS BY DISTRICT

#### Punitive House Demolitions

Bethlehem	-
Hebron	-
Jenin	1
Jericho	-
Jerusalem	-
Nablus	20
Ramallah	-
Toulkarem	-

#### House Demolitions for Lack of Licence

Bethlehem	1
Hebron	-
Jenin	-
Jericho	-
Jerusalem	8
Nablus	-
Ramallah	1
Toulkarem	-

### CURFEWS BY DISTRICT

District	Hours
Bethlehem	-
Jenin	17
Nablus	-
Toulkarem	-
Jerusalem	-
Ramallah	2
Hebron	-
Jericho	-
<b>Total:</b>	<b>19</b>