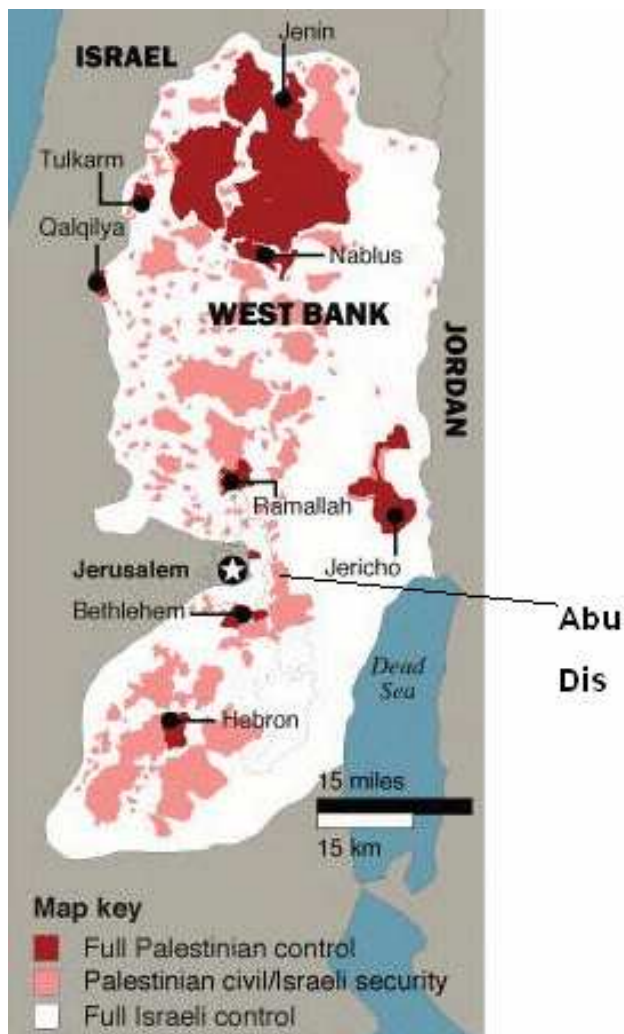


## Monthly report of Israeli human rights violations in Abu Dis January 2009

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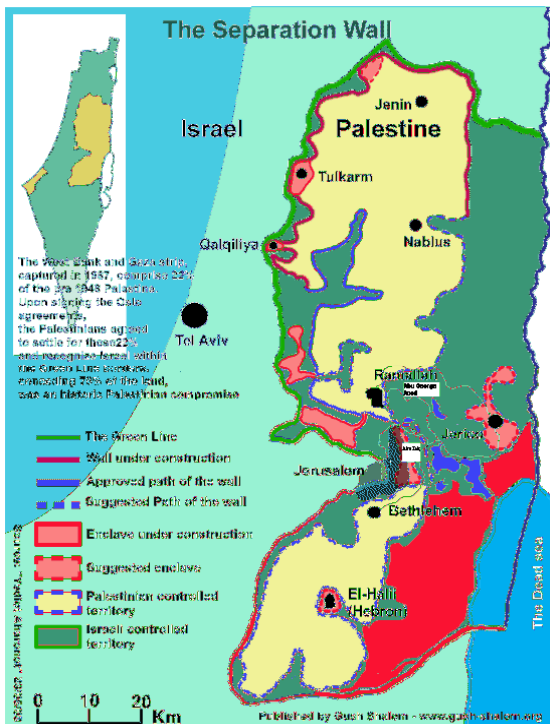
Israel continued its vicious attack on the Gaza Strip and more than 1300 people were killed and more than 5000 Palestinians wounded; there were thousands of houses destroyed and buildings including schools, health societies and mosques. Nothing was safe from shelling – not people or buildings or trees.

And while the eyes of the world were on the massacre that Israel was carrying out on the people cut off in the Gaza Strip, Israel was continuing its policy of confiscating lands and extending the settlements in the West Bank and Jerusalem. Just the past month saw new decisions to take away land that belongs to Abu Dis and the surrounding towns.

Preparation work began on building new settlements as part of the settlement policy known as E1, in an attempt to

strengthen the isolation imposed on East Jerusalem. Excerpts from the military order show clearly that the Israelis acknowledge that the land taken has Palestinian owners.

During the month of January, the Israeli army killed a student from the Al Quds University near the Maale Adumim settlement; seven students from the Al Quds University were arrested during their invasions of student housing in the town. Also arrested were three students from Abu Dis Boys' School.



Hamam Mohsen and Mohammed Eriqat, both young men wounded by army shooting, were still being cared for in hospital.

What follows shows the most important violations during the past month.

Map adapted from Gush Shalom

This map shows the limited area of Palestinian control in the West Bank. In fact, Gush Shalom is optimistic in labelling

any of the areas "full Palestinian control" – these red areas actually refer to Area A where the Palestinian police operate, but the Israeli army demonstrates its control by coming in regularly, whenever they want to.

### Israeli violations linked to the aggression in the Gaza Strip

- On Sunday 1<sup>st</sup> January, Ibraheem Abd Al-Kareem Shamlawi a young man from the town of Haris in Salfeet district was shot by Israeli soldiers. He was a student in the second year in the faculty of literature in the Al Quds University. Soldiers opened fire on him near to the settlement of Maale Adumim when he was waiting by the place cars stop there; the Israeli authorities claimed he was trying to set fire to the petrol station near the settlement.



- The protest demonstrations continued in Abu Dis against the crimes that Israel was carrying out against our people in the Gaza Strip. There were many marches to condemn the killing of innocent civilians, and the demonstrators gave a protest letter to the Red Cross and to the office of the United Nations in Aizariyeh. Israeli soldiers confronted the demonstrators and fired rubber bullets and tear gas grenades and people were wounded, among them young boys Mohammed Eriqat (aged 14, shot with a rubber bullet to his head) and Mohammed Sabbah (aged 13, who was also hit by a rubber bullet to the back of his head).

*Mohammed Sabbah*



- Local organisations formed a popular committee to provide help for our besieged people in Gaza; people in Abu Dis and the towns around collected aid and donations.
- The injured boy Hamam Mohsen was moved to the special rehabilitation centre in the town of Bethlehem. He had spent a month in the Muqassed Hospital undergoing treatment. Even after a month he is in

need of lengthy treatment particularly to help him speak and to move his right hand and foot

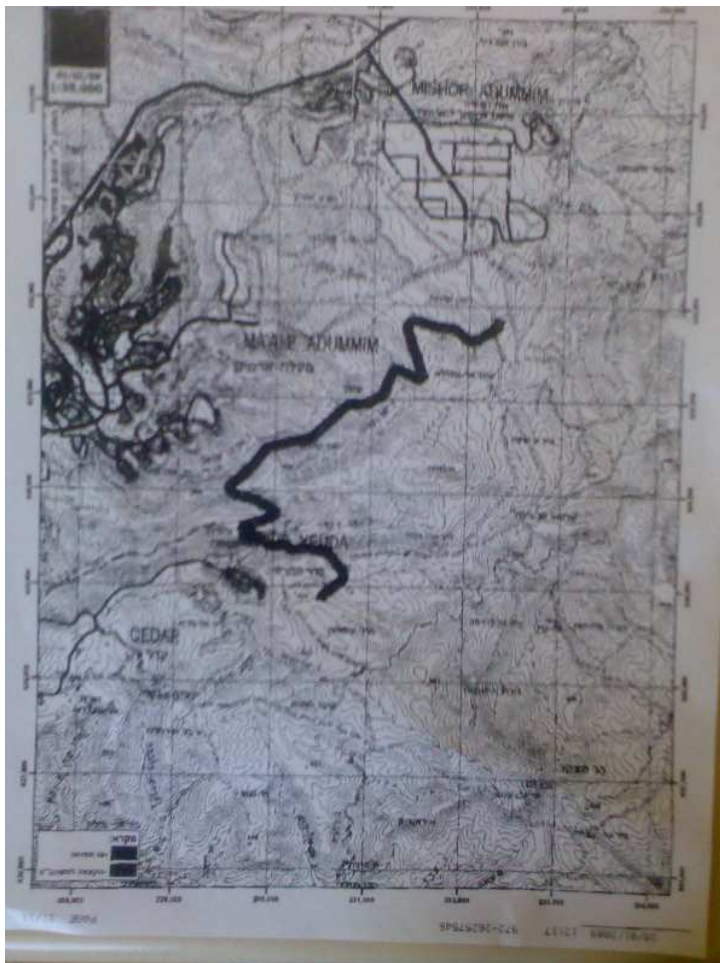
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*Loading a lorry with aid for Gaza and the UN car that accompanied it.*

### **Building the Wall and confiscating land.**

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The Israeli Interior Ministry ignored the decision of the Court of Justice which said it should return 4000 donums of the land of Abu Dis and Sawahreh to its owners. The Interior Ministry had taken it over for the purpose of building the Separation Wall and to extend the settlement of Maale Adumim. The Israeli Court of Justice gave a ruling in the middle of last August after the after the local councils of the East Jerusalem towns went to court; but the Ministry of Defence announced that the land was a closed military zone and

refused to give it back to its owners

The Israeli authorities gave the local council of Abu Dis a military decision to expropriate more than 506 donums of land on the east of Abu Dis on the excuse of building the eastern part of the Separation Wall. The military decision included a map of the land around the settlement of Maale Adumim affected by the decision: sections 7 and 6 of the eastern land of Abu Dis: Azour, Thahr Shams, Almakhbeeya and Ras Saweeyah from section 7 and Safat Wadi, Abu Hindi and Im Rein from section 6.

The decision was issued in Hebrew under the number T/01/09 signed by Gadi Shamny Aloof saying:

*“Under my authority as Commander of the Israeli Defence Force of Judeia and Samaria, and believing that this is military necessity owing to the special security situation and that we need to introduce the following steps to prevent terrorist attacks, I order:*

*Takeover: The land of Abu Dis and Khan al-Ahmar is being taken in order to construct the security wall in the area of Maale Adumim [09:18:39] yassar says: Control: The forces of the Israeli Defence Army are taking over and have absolute control over the place; the land officer is delivering this authority on behalf of the officer of the affairs of the Ministry of Defence*

*Compensation: The land owners and/ or those who are renting the land have the right to present a demand for compensation Office for a price for the use of the land or to the Jerusalem Suburbs Liaison and Co-ordinating Office.*

*Delivery: Copies of this order and a map of the order attached to it will be delivered to the Jerusalem Suburbs Liaison and Co-ordinating Office to the landlords or their representatives.*

#### *Publishing*

*(1) The notice of this order will be spread to the landlords or tenants of the land by the military as far they are able to, through a notice on the board of the Civil Department and by all suitable other routes.*

*(2) Arrangements should be made for a date for a tour in order to show the land. This will be implemented by the Jerusalem Suburbs Liaison and*

Co-ordinating Office.

*The right to appeal: The owners of the land or those renting it can lodge objections within seven days starting from the day that the tour is organised.*

*The start of the process: The process of carrying out this order will begin from the day it is agreed and it will last until the 31st of December 2012.*

*Name: This order is known as Order for land confiscation order T/01/09 Judeia and Samaria 5769-2009.*

*This order was signed on the 4th January 2009.”*

There is more information about the settlements around Jerusalem in a useful UN report “The Humanitarian Impact on Palestinians of Israeli Settlements and Other Infrastructure in the West Bank” (July 2007)

[http://www.ochaopt.org/?module=displaysection&section\\_id=1&format=html](http://www.ochaopt.org/?module=displaysection&section_id=1&format=html)

### Israeli violations at the checkpoints around Abu Dis:



Since the Israelis started to build the Separation Wall around Jerusalem they have worked to seal off Jerusalem very thoroughly from its suburb, and they have made special "terminals " for people to go through to get into the city. For the towns on the east of Jerusalem, the Israeli authorities built a terminal in a place between the Mount of Olives and the town of Aizariyeh to allow people carrying West Bank passes and who have also got a permit, following very long and complicated procedures, specially now they use finger prints as well as permits. And at al-Zayem on the Jerusalem road leading to the settlement of Maale Adumim, they

have put a checkpoint that can only be used by people with Jerusalem passes.

- On Tuesday 13th January, the Occupation forces strengthened their repressive practices at the Container checkpoint and detained Mahmoud Ali Thawabteh, a young man from the town of Bethlehem who was on his way to Abu Dis.
- On Monday 19th January, Occupation forces based at the Container checkpoint arrested Anas Omar Hussein Musalmeh, 19 years old, an inhabitant of the town of Beit Awa and also Khalid Waleed Omar, 19 years old from the town of Dora while on their way to Abu Dis from Bethlehem.
- On Tuesday 20th January, Occupation forces closed the Jabaa checkpoint to stop people moving, and at the same time, the Occupation forces closed many roads around the town of Jericho, on the excuse of an attack on a settler's car near to the village of Aqraba.
- On Wednesday 21st January, there was a flying military checkpoint at al-Khan al-Ahmar and Occupation forces arrested Mohammad Kamal Berahmeh from Jericho there.
- On Friday 23rd January, the Occupation authorities imposed restrictions on the entry of people going to pray in the Al Aqsa Mosque and forbade men under the age of 40 years from going to Jerusalem. And the Occupation soldiers who were at the Qalandia military checkpoint fired a volley of shots and tear gas at people who were trying to go to Jerusalem through the checkpoint.
- On Saturday 24th January, Occupation forces arrested Ayman Ali Mursi Abu Arqoub, 23 years old, a resident in the town of al-Samouh, at the Container checkpoint.
- On Thursday 31st January, Occupation forces at the checkpoints of Jabaa and Qalandia closed off the roads in both directions, strangling the traffic and stopping people from reaching their homes or work for three hours.

### **Israeli pass laws and the issue of Jerusalem citizenship**

Successive Israeli governments have worked to implement a recommendation made in 1973 by the Israeli Ministerial Committee for Jerusalem under the leadership of Golda Meir, to reduce the percentage of Palestinians in Jerusalem to under 22%. This has led to many different policies that have distorted the demography of Jerusalem. The most recent of these policies has been to put great pressure on Palestinians of Jerusalem, and led to many

thousands of people having their Jerusalem IDs taken from them. Although five thousand families in Jerusalem have lost their IDs since 1973, the Palestinians still represent 35% of the population of Jerusalem city itself, because many Jerusalemites who had moved into the suburbs have moved back to live inside the city since the Wall was built. During just the year 2006, 1,363 Jerusalem residents lost their Jerusalem IDs (figures - Israeli Interior Ministry) This came after Israel had separated Jerusalem completely from its suburbs. Many people who have Jerusalem IDs, and many families who have mixed IDs live in these suburbs. Note that most people in Abu Dis have West Bank IDs but a minority have Jerusalem IDs.

### **Invading houses and arresting people.**

The Israeli Occupation authorities' policy of invading houses and arresting people continued during this past month. The Israeli army with the help of the intelligence went on invading houses in the night and soldiers subjecting the people to searches and created fear.

- On Tuesday 5th January, a force of Israeli Border Police together with an intelligence officer invaded the house of two students Hamza Hesham Ereqat and Rami Mohammad al-Deek, both students in Year 11 in the Abu Dis Boys' School. They arrested them after searching the house. Note that Rami had been arrested the previous month for eight days after his house had been invaded,.
- On Saturday 10th January, the soldiers who were at the al-Zayam checkpoint arrested a student, Khalid Riyadh Nawafleh from the Abu Dis Boys' School class 11, while he was trying to enter the city of Jerusalem. Khalid spent twelve days in prison before the Israeli military court gave him a fine of 6000 shekels and freed him. Note that the expense to his family was higher than this, as his father had paid 4000 shekels for a lawyer to help them. The total of 10,000 NIS could be 5 months' earnings for a typical resident of Abu Dis.
- On Monday 12th January, the house of Mohammed Eid Bahar was invaded. Ibraheem Shamlawi, the student who had been killed near the petrol station by the settlement of Maale Adumim, had lived there. The soldiers searched the house and beat the students who were in the rented flats in the building; they arrested three students from Al Quds University. Two of them were Rami al-Deek and Hamzeh al-Deek, both from the town of Kafr al-Deek in Salfeet District.
- On Thursday 15th January, a force of Border Police invaded the house of Ayman Omar Salah. A student from the Al Quds University lives there.

Soldiers beat the students who live in the building and searched it, and arrested three Al Quds University students: Anar Al Mahareeq, Anas Alfaqaa, and Mohammad Habeebeh.

- On Tuesday 28th January, a force of Israeli Border Police burst into two houses in the old town of Abu Dis where Al Quds University students lived, searched them and arrested a student Kamal Al Dabghy aged 22.

### **Prisoners' affairs**

During the long years of the Occupation, hundreds of people from Abu Dis have been arrested, usually for peaceful resistance against the Occupation, such as demonstrations, just as in the rest of Palestine. Among these there have been many young people under the age of eighteen. At the end of January 2009, there were 69 prisoners from Abu Dis in Israeli jails. Among them there were 18 children. In addition there are currently more than 75 student prisoners from Al Quds University Abu Dis campus.

Many of these people have suffered bad treatment, physical and psychological torture, forced confessions, denial of family visits. There is further information on Abu Dis prisoners at

<http://www.camdenabudis.net/prisoners.html>

- On Thursday 8th January, the Israeli authorities released Muntassar Dandan, a student from Abu Dis Boys' School who had been in Israeli prison for twenty-five months. He was sixteen years old when he was arrested.
- On Sunday 13th January, Mehdi Jaffal, a student from Abu Dis Boys' School, was released after a term of 24 months in Israeli prisons. He was sixteen years old when he was arrested.
- On 14th January the student Ibraheem Ali Eriqat from Abu Dis Boys' School was released after a term of 15 months in prison. He was fifteen years old when he was arrested.
- On Monday 27th January, Mohammed Radhi, a student from Abu Dis Boys' School was released after 15 months in Israeli prisons. He was sixteen years old when he was arrested.
- Mohammed Hassan Eriqat, who was arrested and injured, is still under medical care in the Hadassa Hospital after more than a month. Mohammed's mother said that when she was last able to visit her son, his hands were tied and he couldn't move, because he was still regarded as a prisoner. It is expected that he will be moved to prison in the coming days.

- The prisoner Mohammed Mohsen who is ill with cancer is still suffering in prison and he is not getting adequate care. His family are not able to receive proper information about his state of health. The prisoner's mother issued a letter to all local and international associations asking for the immediate release of her son who has spent nine years in prison, and holding the Israeli authorities responsible for his survival.

### **Abu Dis Boys' School, and complaints about Israeli violations**

Details of the attack by Israeli Border Police on boys inside Abu Dis Boys' School on 14th February 2007 and the follow-up to this are available on the CADFA website [www.camdenabudis.net](http://www.camdenabudis.net)

We haven't received any response or information from the Israeli side about reopening the investigation in the case since the Abu Dis School Head teacher asked for the enquiry to be reopened in the middle of last May.

We have written a number of other letters in the meantime about other serious incidents in Abu Dis which are listed in the report we wrote for December 2008. There has been no progress on most of them.

At the end of December, Mohammed Hassan Eriqat who was badly wounded Israeli army shooting, and his parents were not allowed by the Israelis to go and see him although he was in a coma. We wrote to our representatives asking them to raise this case, and ask for his parents to be allowed to visit. At least one of our MEPs raised this at European level and maintained an interest in the case. After a month, Mohammed's mother was finally able to go and see him.



We are also being told by organisations such as B'tselem (an Israeli human rights organisation) and the Red Cross that "there is something special about Abu Dis in these cases." These violations are happening all over Palestine but in some cases representations made via Camden Abu Dis Friendship Association

appear to be gaining people small concessions – rights which they should have in any case.

## **Conclusions and recommendations**

There is helpful information on human rights and international humanitarian law at the following United Nations site:

<http://www.ochr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>

Some important agreements and decisions which the Israeli occupying power are violating in their treatment of the Palestinian people are:

### **1.The Wall**

The International Court of Justice asked Israel to stop work on the Separation Wall in the Palestinian occupied territories including East Jerusalem and the area around it, to destroy all the bits that are already built and to delete all the laws and decisions which the Israeli government had made in creating it (Hague decisions paragraph 133, 152 and 153 – Advisory Opinion of the ICJ, 9th July 2004)

### **2.Torture and the mistreatment of prisoners**

There are many international agreements against torture and mistreatment of prisoners. Article 7 of the International Covenant on Civil and Political Rights (1976) reads: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” The UN Convention against Torture was signed in 1984.

### **3.Confiscation of lands**

According to The Hague agreement signed in 1907 paragraph 152, occupation forces must not confiscate lands or properties from the people under occupation.

### **4.Equal treatment of people (note the unequal treatment of people through the permit system and pressure on people around Jerusalem)**

Israel is a signatory to the undertaking “ to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” (International Covenant on Civil and Political Rights, article 2, paragraph 1, signed 1966, in effect from 1976)

#### 5.Right to family life

The same international agreement states that “No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation... Everyone has the right to the protection of the law against such interference or attacks”

This month’s report shows that the people of Abu Dis are suffering regular violations of all of these agreements and decisions. We call on the international community and all the supporters of the rights of the Palestinians to make some pressure on Israel as an occupying force to stop the violations and to guarantee their human rights and their rights under international humanitarian law.