



Monthly Report on Violations of Human Rights and Freedoms in Palestine

November 2014

Violations of human rights and freedoms in Palestine continued throughout the month of November 2014. This report presents the main violations which were monitored by ICHR during that period.

Below is a comprehensive summary:

- ❖ Violations of the right to life continued. ICHR monitored **16** deaths, including **10** in the Gaza Strip and **6** in the West Bank.
- ❖ ICHR received **56** complaints of torture and ill-treatment, including **39** complaints in the Gaza Strip and **17** in the West Bank.
- ❖ ICHR received **73** complaints in the Gaza Strip on inappropriate detention procedures, including political or arbitrary detention. It also received **39** similar complaints in the West Bank.
- ❖ ICHR monitored **6** detention cases held upon Governor's order.
- ❖ ICHR monitored **4** cases related to violations of the freedom of opinion, expression, media and peaceful assembly.
- ❖ ICHR monitored one case related to the violation of the right to movement and travel.
- ❖ ICHR received **4** complaints of appropriation of citizens' money or property with court's order.
- ❖ ICHR received **6** complaints on non-implementation of courts' decisions.
- ❖ ICHR monitored a number of cases of the violation of the right to unions' activities, mainly the detention of the President of the Public Sector Servants Trade Union and his Deputy as well as other members of the Trade Union.
- ❖ ICHR monitored **6** cases of assault on persons, public institutions, public and private properties.

Details of the violations:

I. Violation of the right to life and physical safety:

أُنشئت الهيئة المستقلة لحقوق الإنسان بموجب مرسوم رئاسي رقم (59) عام 1993، والمادة (31) من القانون الأساسي المعدل الفلسطيني لعام 2003

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During the period of November 2014, **ICHR** monitored **16** deaths; **6** in the West Bank and **10** in the Gaza Strip. As for the causes of these deaths, they were distributed as follows: **3** cases occurred due to misuse of firearms, **2** in the Gaza Strip and **1** in the West Bank; **2** cases occurred under mysterious conditions, **1** in the Gaza Strip and **1** in the West Bank; **11** cases occurred due to negligence of public safety requirements, **4** in the West Bank and **7** in the Gaza Strip.

Further details on the causes of death below:

1. Deaths due to misuse of firearms:

- On 9th of November 2014, **Hassan Musbah al-Bahteeti, 27 years old**, from Gaza city died of a fire bullet wound. According to the information provided to ICHR, while he was cleaning his Kalashnikov rifle at his home, two bullets were accidentally discharged killing him on the spot. The police arrived at the scene and opened investigation into the accident.
- On 9th of November 2014, **Ibrahim Mahmoud Abed**, from Gaza city, died of a bullet wound to his head. According to the information provided to ICHR, he was wounded while driving a car near a resort on Gaza Sea. A person of a group of three people fired aimlessly injuring him in and head and breaking his skull. The police arrested the suspect and opened investigation into the incident.
- On 14th of November 2014, **Dr. Mahmoud Fareed Faris al-Jayoosi, 40 years old**, from the village of Jayoos near Qalqilya, died of bullet wounds. Unknown persons shot him while he was in his clinic in the village. He was rushed to Darweesh Nazzal Hospital in Qalqilya where he was announced dead. The police opened investigation into the incident, and the Public Prosecution ordered an autopsy on the body.

2. Deaths under mysterious conditions:

- On 9th of November 2014, **Raeda Awad Ashur, 36 years old**, from Bet-Hanun in northern Gaza, died of asphyxiation. According to the information provided to ICHR, the family of the deceased found her in the room with a wire bound at her neck. She was rushed to Bet-Hanun Hospital where she was announced dead. The police report stated that she committed suicide due to family differences.
- On 10th of November 2014, **Lena Nazmi Shamasni, 19 years old**, committed suicide by dropping herself from a building in the area of Abu Dis, according to the police report.

3. Deaths due to negligence of public safety precautions.

- On 1st of November 2014, **Talah Hamad Muhammad al-Til, 13 years old**, from Dahrya in Hebron, died of electric shock. The police and Public Prosecution opened investigation into the incident and found no criminal offence.
- On 3rd of November 2014, **Ghaith Nael Rida Sarur, 7 years of age**, from Biliin near Ramallah, was found dead in under construction cesspit filled with rainwater. The police stated that there is no criminal offence in the case.
- On 8th of November 2014, **Ula Abdulraheem Madi, 19 years old**, from Gaza city of falling off a height. According to the information provided to ICHR, she fell off the sixth floor where her family is living and died immediately. The police opened investigation into the incident.
- On 11th of November 2014, **Muhammad Ahmad Bahlul, 18 years old, and his father Ahmad, 46 years old**, from Rafah, died of wounds they sustained when a fuel pipe exploded near Karm Abu Salem crossing eastern Rafah. According to the information provided to ICHR, the explosion which was caused by a technical error on the Palestinian side of the crossing caused a large fire. It burnt a number of trucks. The police opened investigation into the accident.
- On 19th of November 2014, **Yasir Ibraheem Birat, 63 years old, and Abdullah Birat, 31 years old**, from Kufr Malik near Ramallah died when the hose of the concrete pump fell on them from the second floor of the building where they were working.
- On 26th of November 2014, **Muhammad Zuhdi Abu Ghalyoon, 15 years old, and his brother Abdulrahman, 6 years old**, from Gaza city, died from asphyxiation caused by a fire. According to the information provided to ICHR, while they were tampering with the stove, the gas leaked and caused the fire. The police opened investigation into the incident.
- On 28th of November 2014, **Hiba Emad al-Sufi, 2 years old**, from al-Shukah near Rafah, died when a heavy object fell on her. According to the information provided to ICHR, a cupboard fell on her while playing at home. She was rushed to Abu Yousif al-Najar Hospital in the city where she was announced dead. The police opened investigation into the incident.
- On 28th of November 2014, **Faris Shreaqi Qashtah, 16 years old**, from Rafah, died of electric shock. According to information provided to ICHR, while he was trying along with his

friend to put an iron cage at the roof of his house, it contacted the high pressure electric line and threw him from the third floor to the ground. The police opened investigation into the incident.

4. Injuries due to misuse of firearms – internal explosions:

- On 12th of November 2014, **Anas Muhammad Abu Rujeela, 21 years old**, from Khuza' east Khan Younis suffered burns to his face and head after an explosive device left by the Israeli occupation forces in the area, went off. He was rushed to hospital for medical treatment.

5. Torture during detention– degrading and cruel treatment:

ICHR received during the period covered by this report received **56** complaints of torture and ill-treatment, **17** in the West Bank, **39** in the Gaza Strip. These complaints were distributed in the West Bank as follows: **14** complaints against the police agency, **2** complaints against the preventive security agency and **1** complaint against the general intelligence agency. In the Gaza Strip, **33** complaints were filed against the police agency and **6** complaints against the Administration of the Correction and Rehabilitation Centers.

The detainees claimed that different methods of torture were used against them, including standing in a hard position for a long time, flogging, forced running for one hour, slapping in the face and beating on the different parts of the body using a hose. They also claimed that they were cursed, insulted, threatened, put in solitary confinement and forced to take off their clothes. Concerning prisons' conditions in the Gaza Strip, they were not different from the previous months, except for the prison of the internal security which was strafed by the Israeli occupation warplanes. When ICHR visited this prison in November 2014, it found out that new cells were built.

II. Violation of the right to due process of law, including arbitrary and political detention:

ICHR received, during the period covered by this report, **39** complaints of political or arbitrary detention in the West Bank and **73** complaints of the same violations in the Gaza Strip.

Concerning detention upon **governor's decision**, ICHR received **5** complaints including **4** complaints from citizens from Nablus in which they claimed that they were held for 14 hours.

It also received a similar complaint from a citizen from Jenin. Three of them were released while the following two citizens are still in detention:

- Allam Zaki Saris, held by the General Intelligence in Juneid prison, upon the decision of the Governor of Nablus since 5\11\2014.
- Nidal Ghazi Tawafsha held by the Police Agency in Juneid prison, upon the decision of the Governor of Nablus.

III. Violation of the freedom of opinion, expression, media and peaceful assembly.

- On 4th of November 2014, the General Intelligence Agency in Hebron held the correspondent of al-Aqsa Satellite Channel, Alla' Jabir Ali al-Teeti for his work as a journalist according to the complaint submitted by his brother to ICHR. According to the information provided to ICHR, he was released on 10th of November 2014.
- On 5th of November 2014, the General Intelligence Agency held Khzeema Muhammad Ramadan Khalaf Gheith from Hebron for participating in a peaceful rally organized by Hamas Movement. He was released later.
- On 7th of November 2014, the Police Agency and National Security prohibited a demonstration organized by Hamas to march towards Halhul Bridge by forming a human shield. They also used stun bombs to disperse participants. A citizen and one security officer were injured in the event. Eight people were also arrested from different areas of Hebron following the end of the demonstration according to the complaints received by ICHR and the reports of its field researchers. All of them were released.
- On 18th of November 2014, the General Intelligence Agency held Islam Mahmoud Ali Qfiesha from Hebron for participating in a peaceful rally organized by Hamas in support of

al-Aqsa mosque according to a complaint submitted by his father to ICHR. He was released on 20th of November 2014.

IV. Assault on persons, public institutions, public and private property.

On 7th of November 2014, unknown persons carried out a series of bombings against a number of Fatah leaders' homes in Gaza, causing physical damage. Letters were found with heading of "Islamic State" warning these leaders not to leave their homes before 15th of November. The reports of the field research of ICHR include the names and positions of the leaders whose homes were targeted as well as other relevant details:

- Abdullah Hassan al-Ifranji – Governor of Gaza, Member of Fatah Central Committee, living in al-Rimal neighborhood in Gaza city.
- Faisal Muhammad Abu Shahla– MP of Fatah bloc, living in al-Rimal neighborhood in Gaza city.
- Abdullah Eiadeh Abu Samhadana – Governor of al-Wusta governorate, in charge of the Organizational Department of Fatah, living near Anasar compound western Gaza city.
- Muhammad Judeh al-Nahal – Member of Fatah Revolutionary Council, Manager of the Society of the Families of the Martyrs and the Injured, living in Tal al-Hawa in Gaza city.
- Shareef Adnan Abu Watfa– Member of Fatah Regional Office, living in al-Nusra neighborhood in Gaza city.
- Hisham Ali Abdulraziq– Member of the High Leadership Commission of Fatah and Member of Fatah Revolutionary Council, living in al-Twam area northern Gaza.
- Jamal Saed Ebeid – Member of the High Leadership Commission of Fatah, living in Jabalia northern Gaza city.
- Abdulrahman Tawfeeq Hamad – Member of the High Leadership Commission of Fatah and Chairman of the Board of Trustees of al-Azhar University, living in Beit-Hanun north Gaza.

- Fayez Muhammad Abu Eiteh – Spokesman of Fatah movement, living in Beit–Lahia north Gaza.
- Abdulgawad Tawfeeq Ziad – Member of Fatah Regional Committee north Gaza, living in Beit–Lahia north Gaza.
- The platform which was established in preparation for commemorating the 10th anniversary of the death of Late President Yasser Arafat in Gaza, was bombed out.
- The apartment of the PLO (Refugees Affairs Office), located in the fourth floor of a 5–story building in Sheikh Radwan neighborhood in Gaza city was targeted. Its gate, windows and lift were bombed out.

The spokesman of the police agency stated to ICHR that the Ministry of Interior formed a committee of all the security agencies to investigate the incident. The Ministry of Interior and National Security hailed the incident as a crime and pledged to hold accountable those responsible and bring them to justice. The findings of the investigation weren't made available to the public yet.

- On 9th of November 2014, unknown persons fired guns in the air past the house of member of Fatah Revolutionary Council, Muhammad Nahal in Gaza city. The police arrived at the scene and opened investigation into the incident.
- On 11th of November 2014, three bombings were carried out simultaneously against three homes in Al–Shati' refugee camp in Gaza, causing physical damage. According to the information provided to ICHR, the bombings targeted the homes of Muhammad Mahmoud al–Hasi, 35 years old, fisherman, Hani Hassan Dabagh, 34 years old, laborer and Fayez Zuheir Dawlah, 50 years old, laborer. The police arrived at the scene and opened investigation into the incident.
- On 11th of November 2014, unknown persons assaulted and beat Fathi Khadir Abu Wardeh, 45 years old, from Jabalia in northern Gaza, Physician, Manager of the External Medical Treatment Department and member of Fatah sixth conference. According to the information provided to ICHR,

while he was driving his car, he was stopped by 3 masked persons in plain clothes. They punched him on the head and the chest before escaping. He was rushed to Al-Shifa' Hospital and then referred to Al-Quds Hospital in Gaza. According to his statement to ICHR, he was warned on 9th of November 2014 not to open of the Office of the External Medical Treatment on the day the people commemorate the death of Late President Yasser Arafat.

- On 16 of November 2014, unknown persons severely beat Muhammad Sadi Ahmad Saleh, 85 years old, from Beit-Hanun northern Gaza, Coordinator of the National Islamic Emirati Committee which considers the conditions of those who were injured in the Israeli military aggression on the Gaza Strip. According to the information provided to ICHR, while he was driving his car, four masked persons holding wooden clubs forced him to get off his car. They hooded and inspected him before confiscating his identity card. They also asked him about his work for the Preventive Security Agency. Then, they took him to al-Karama area northern Gaza and beat him severely before throwing him in a nearby area. Some citizens took him to Kamal Audwan Hospital where he was hospitalized. The police arrived at the scene and opened investigation into the incident. However, he told ICHR that he received a threat letter on 8th of November 2014. He added that he was summoned by the internal security and interrogated about the file of the persons who were injured during the Israeli military aggression on the Gaza Strip.
- On 29th of November 2014, unknown persons driving Skoda white car fired 7 shots at political activist Hazem Khadir Nimir al-Fakhori, 41 years old, from Hebron. He was held by the General Intelligence in Jericho. The General Investigations Unit investigated the case but didn't capture the attackers.

V. Violation of the right to travel and movement.

Ahmad Husni Abu Sharkh, 27 years old, from Jabalia northern Gaza submitted a complaint to ICHR in which he claimed that he applied for passport in August 2014 through Al Aref Office for Tourism and Travel in Gaza, but was rejected for security reasons without more details. He said that he needed the passport to continue his study abroad.

VI. Appropriation of citizens' property without court order.

1. Muhammad Ashraf Tawfeeq Mirshid Rajabi said that the Preventive Security Agency and National Security confiscated from him DVD, DVR, router, receiver, toy pistol, two packets of cigarettes from his house in the village of Jalajil in Hebron on 10th of November 2014.

2. Ahmad Fadil Ahmad Hussein claimed that on 28th of October 2014, the Preventive Security Agency confiscated from him \$ 50900 without court order, suspecting that he received this amount of money illegitimately. Despite all the necessary documents that he presented, they did not return the money to him.

3. Asma' Wael Muhammad Al Bitar claimed that on 18th of November 2014, the Preventive Security Agency in Hebron seized her identity card and mobile phone after summoning her to their office.

4. Faisal Ibrahim Abdel Fatah Awawdeh, father of Udai4. Faisal Ibrahim Abdel Fatah Awawdeh claimed that on 23rd of November 2014, the Preventive Security Agency confiscated from him a tool box for fixing mobile phones, documents, books, PC, laptop, hard discs, hard disc, expired passport and a valid one as well as a flash memory. When he referred to the Public Prosecution, they told him that they shall keep the said items until they cleanse the case.

VII. Violation of the right to trade union activities.

ICHR monitored and documented what happened with Civil Servants Trade Union. Its field researchers interviewed the President of the Trade Union, his Deputy and the heads of the branch unions who were detained for their trade union activities. President of Trade Union, Bassam Zakarneh, was held by the police on 6th of November 2014 and appeared before the Public Prosecution on 9th of the same month. On 11th of November 2014, the Magistrate Court of Ramallah remanded him in custody for 15 days. When his health condition deteriorated in Ramallah Rehabilitation and Correction Center, he was transported to Palestine Medical Complex in Ramallah. His Deputy, Moen Ansawi was held after being summoned by the police on 6th of November 2014. On 9th of November, he appeared before Public Prosecution and on 11th of November reappeared before Ramallah Magistrate Court which decided to keep him in custody for 15 days. When his health condition deteriorated in Ramallah Rehabilitation and Correction Center, he was transported to Palestine Medical Complex in Ramallah.

Muhammad Hussein, Head of the Union of the Families of Martyrs and the Injured was held by the police after being summoned on 8th of November 2014. On 9th of November 2014, he appeared before Public Prosecution, and on 11th of November he appeared before Ramallah Magistrate Court which decided to keep him in custody for 15 days. The President of the Trade Union and his Deputy were held on Thursday without a warrant from the Public Prosecution and it was difficult to contact them. Indeed, the way they were released did not take into account the provisions of law.

On 12th of November 2014, Zahi Sawalmeh, member of the Trade Union, from Nablus, was detained by the Preventive Security Agency. The researchers of ICHR learnt after they

addressed the officials of the preventive security that he was held in Betunia Central Investigation Center of the Preventive Security. He was later released.

The researchers of ICHR monitored the situation of Dr. Muhammad Al Araj, Hamdi Arafa, Ahmad Tawfeeq, Osama Najar, Ashraf Barghouti, Amjad Al Ahmad and Omar Udah who were transported to the compound of the Preventive Security in Ramallah and then to the Preventive Security Central Investigation Center in Betunia. They were held for hours against the backdrop of their trade union activities. In the context of the issue of the Civil Servants Trade Union and following the detention of a number of the heads of the branch unions, ICHR received complaints from the following activists of arbitrary transfer from their workplaces for their trade union activities: Omar Abdulnasir Ahmad Uda, Deputy Head of the Branch Union of the Ministry of Finance, Hazim Mousa Abdullah, Secretary General of the Branch Union of the Ministry of Finance, Yahia Zakaria Abdulfatah Fahmawi, Deputy Head of the Branch Union of the Ministry of Finance, Muhammad Issa Hussein Ewis, Member of the Branch Union of the Ministry of Finance and Basman Muhammad Ahmad Geabat from the same union.

VIII. Delay in implementing courts' decisions.

ICHR received, during the period covered by this report, **6** complaints related to procrastinating implementation of courts' decisions:

- On 2nd of November 2014, Nablus Court of Magistrate decided to release Omar Subhi Omar Ghaliani, from Nablus. He has been held since 21st of October 2014 by the Preventive Security Agency. The decision has not been implemented yet. When ICHR addressed the Preventive Security, they said that he was held upon the decision of the Governor.

- On 2nd of November 2014, Hebron Court of Magistrate, decided to release Muhammad Abdullah Fayege Safadi who has been held by the General Intelligence in Nablus since 12th of November 2013. The decision has not been implemented yet.
- On 3rd of November 2014, Hebron Court of Magistrate, decided to release Khaled Saed al-Din Abdulwahab Abdulazeez who has been held by the General Intelligence since 12th of November 2013. The decision has not been implemented yet.
- On 4th of November 2014, Hebron Court of Magistrate, decided to release Murad Khaled Saleh Aseeda who has been held by the General Intelligence since 12th of November 2013. The decision has not been implemented yet.
- On 14th of November 2014, Halhul Court of Magistrate, decided to release Muhammad Fakhri Taiem Shalalda, from Saer, on judicial bail. Although he paid the bail, the Preventive Security in Hebron kept him in custody on new charges. He was released after a new decision of release was issued by the court.
- On 28th of October, 2014, Hebron Court of First Instance decided to release Muhammad Yousif Mihsin Zaqqeeq, from Hebron on bail of JD 500. Although the bail was paid, the General Intelligence in Hebron did not implement the decision. ICHR addressed the General Intelligence and the General Attorney but to no avail.
- It is worth mentioning that 13 decisions issued by civil courts over the past few months have not been implemented yet.