



Monthly Report on Violations of Human Rights and Freedoms in the Controlled Palestinian Territory December 2014

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

Below is a comprehensive summary:

- ❖ ICHR monitored (9) deaths, including (8) in the West Bank and (1) death in the Gaza Strip.
- ❖ ICHR received (82) complaints of torture and ill-treatment, including (21) complaints in the West Bank and (61) complaints in the Gaza Strip.
- ❖ ICHR received (114) complaints of violations of the due process of law, including (48) complaints in the West Bank and (66) complaints in the Gaza Strip.
- ❖ ICHR monitored (3) cases of administrative detention (detention by governor).
- ❖ ICHR monitored (6) cases of violations of the freedom of opinion and expression as well as freedom of media and peaceful assembly.
- ❖ ICHR monitored (8) cases of assault on persons and public institutions.
- ❖ ICHR monitored (1) case of violation of the right to travel.
- ❖ ICHR received (3) complaints of appropriation of citizens' property without court's order.
- ❖ ICHR received (3) complaints of non-implementation of courts' decisions.

Details of the violations:

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

During December 2014, ICHR monitored (9) deaths, including (8) in the West Bank and (1) death in the Gaza Strip. As for the cause of these deaths, they were distributed as follows: (1) death occurred in a detention center in the West Bank; (4) deaths occurred under mysterious conditions – (3) deaths in the West Bank and (1) in the Gaza Strip; and (4) deaths occurred in the West Bank due to negligence of general safety precautions.

Further details on the causes of death below:

1. Deaths in detention centers:

- On 23rd of December 2014, **Osama Rafeeq Yousif al-Shaer**, 30 years old, from the village of Habla in Qalqyia, died in the police detention cell in Qalqyia. According to the information provided to ICHR, he was found dead at 7:00 am on Tuesday 23rd of December 2014 in the detention cell. His body was transferred to the forensic medicine institute in Nablus for autopsy. The public prosecution arrived at the scene and opened investigation into the incident. The Governor of Qalqyia also formed two investigation committees. The first was composed of the security services and the second from his office.

2. Deaths under mysterious conditions:

- On 3rd of December 2014, **Zaki Mahmoud al-Ghandor**, 38 years old, from Jabalia city, died of bullet wound to his head. According to the information provided to ICHR, al-Ghandor who was working for the preventive security agency was injured in an apartment belonging to him in Jabalia. The police arrived at the scene and opened investigation into the incident. They arrested four suspects.
- On 6th of December 2014, **Noor Jameel Khadir Ghaith**, 35 years old, from Deir Ghasaneh village in Ramallah was found dead in her house. The police opened investigation into the incident. The body of the deceased was taken to the forensic medicine institute for autopsy.
- On 13th of December 2014, **Alla' Muhammad Adel Zakarna**, 40 years old, from Jenin city, was found hanged and hung in his store in Jenin. He was also hand cuffed and eye-folded. The police arrived at the scene and opened investigation into the incident.
- On 24th of December 2014, **Faisal Hafez Aabdullah Baleeta**, 47 years old, from Nablus, living in Jericho, was found dead in the yard of his house after weeks of his disappearance. The police investigated the incident and arrested the perpetrators.

3. Deaths due to negligence of public safety precautions:

- On 5th of December 2014, **Wael Ahmad Amer Abu Aram**, 18 years old, from Yatta in Hebron, died of injuries he sustained when a barrel with wool he used to fry chickens in exploded. The police arrived at the scene and opened investigation into the incident.

- On 19th of December 2014, **Rya Ali Jabrin**, 3 years old, from Yatta in Hebron, died of drowning in a cesspit near the house of her family. According to the information provided to ICHR, the child fell in the cesspit while she was playing near her family's house. The police arrived at the scene and opened investigation into the incident.
- On 27th of December 2014, **Khadir Abed Hareemi**, 48 years old, from Beit Sahour, died when he fell off the fourth floor of an under-construction building in the city. According to the information provided to ICHR, Hareemi was taken to Beit Jala Hospital where he was announced dead. The police arrived at the scene and opened investigation into the incident.
- On 31st of December 2014, **Amar Raed Sweti**, 6 years old, from Beit Awa village in Hebron governorate, died of burn injuries in a fire at his father's house. The police arrived at the scene and opened investigation into the incident.

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

- On 4th of December 2014, Alla' Yousif Abu Mari', 17 years old; Shatha Ibraheem Abu Mai', 13 years old; Raghad Adel Kheel, 4 years old; Sabah Adel Kheel, 3 years old, from the Gaza city sustained shrapnel injuries when an explosive device went off. According to the information provided to ICHR, the explosion happened in the house of Abu Mari' family. The findings of the investigation showed that Alla' who was collecting junk along with her husband brought the device from a farm and tampered with it at home. The police arrived at the scene and opened investigation into the incident.
- On 5th of December 2014, Ala Al Din Ibraheem Mousa, 17 years old and Tamir Ibraheem Mousa, 12 years old, from Rafah sustained injuries when an explosive device went off. According to the information provided to ICHR, both children were tampering with the device on the beach of Rafah. They were both transported to Abu Yousif Al Najjar Hospital in the city for treatment. One of them was transferred to an Israeli hospital due to his critical condition. The police arrived at the scene and opened investigation into the incident.
- On 9th of December 2014, Ayesh Saed Allah Ashur, 25 years old, from Rafah sustained a bullet injury to his left leg. According to the information provided to ICHR, he was injured during a dispute among some persons who were participating in internal elections for a Palestinian organization. He was taken to the European Hospital in Khan Younis for treatment. The police arrived at the scene and opened investigation into the incident. a suspect was arrested.
- On 11th of December 2014, Abdel Qadir Miqdad, 43 years old, Manal Miqdad; 43 years old, Reem Miqdad, 29 years old; Dua'a Miqdad, 17 years old; Muhammad Miqdad, 13 years old and Enas Miqdad, 5 years old, from Jabalia in Gaza, were injured. According to the information provided to ICHR, they

were injured when an object inside their house went off. They were taken to Kamal Odwan Hospital in Beit Lahia for treatment. The police arrived at the scene and opened investigation into the incident.

5. Torture during detention- degrading and cruel treatment:

- ICHR received, during the period covered by this report, **82** complaints of torture and ill-treatment – (21) complaints in the West Bank, (61) in the Gaza Strip. These complaints were distributed as follows: (18) complaints against the police agency, (2) complaints against the preventive security agency, (1) complaint against the general intelligence, (53) complaints against the police agency in the Gaza Strip, (7) complaints against prisons and (1) against the internal security.

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 and put in solitary confinement.

- ICHR received (11) complaints of torture from citizens of Al Zayed Family in Al Yamun near Jenin who were arrested after a group of persons broke a police vehicle. They claimed that they were subjected to different forms of torture in the police detention cell in Jenin. They said that they were forced to stand in a difficult position, beaten and punched. They added that they were detained and severely tortured for three days in contravention of the law. They were tied to the doors and beaten by staves. They were interrogated at night and deprived of sleeping.

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

Arbitrary and political detention: ICHR received, during the period covered by this report, (48) complaints of violations of the due process of law in the West Bank. Complainants claim that they were detained for political reasons and arbitrarily. In the Gaza Strip, ICHR received **66** complaints of the same violation.

Administrative detention: ICHR received, during the period covered by this report, (3) complaints of administrative detention. One of the complainants was released while the others are still in detention:

- Anas Mahmoud Khaleel Jad Allah, from Nablus, detained by the general intelligence agency in Jericho stated that on 8/12/2014, the Governor of Nablus issued an order to detain him. He added that he hasn't appeared before any judicial authority.

-Firas Issa Ahmad Aza'r from Nablus, held by the general intelligence agency in Jericho stated that on 6/12/2014, the Governor of Nablus issued an order to detain him. He added that he hasn't appeared before any judicial authority.

ICHR also received the following two complaints concerning frequent summoning by the security agencies for political reasons:

- Afeef Mahmoud Abed Rabu, 56 years old, claimed that the preventive security agency in Tarqumia near Hebron summoned him for political reasons on 14/12/2014. He added that he was detained by the same agency in 2010 for 50 days for the same reasons and that he was summoned several times after being released. They used to question him about the reason why he was arrested by the Israeli occupation forces and about his political affiliation, he charged.

- Omar Abdel Kareem Hassan Amre, 43 years old, said that on 12/12/2014, the preventive security agency detained him. They released him on the same day but ordered him to return again for an interview on 14/12/2014. He said that he was questioned about his political affiliation.

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

- On 9th of December 2014, members of the preventive security agency searched the house of Muhammad Shukri Ahmad Awad, journalist, working for Wattan TV in Ramallah, without showing search warrant.
- On 12th of December 2014, the general intelligence agency detained Alla' Jabir Ali Al Titi, 32 years old, journalist, from Al Fawar refugee camp in Hebron governorate. He was detained while covering an event organized by Hamas on its 27th anniversary in Hebron. He was also detained on 4/11/2014 for his work as a journalist.
- On 12th of December 2014, the general intelligence agency detained Islam Muhammad Sulaiman Qfasha, 22 years old, from Hebron, while he was on his way to participate in a rally organized by Hamas on its 27th anniversary. He was freed on 17/12/2014.
- On 12th of December 2014, the general intelligence agency detained Mutaz Mahmoud Ali Sulaiman Qfasha from Hebron, while he was on his way to participate in a rally organized by Hamas on its 27th anniversary. He was freed on 17/12/2014.
- On 14th of December 2014, members of the security staff of Al Azhar University in Gaza beat a number of students with iron bars. According to the information provided to ICHR, students of the Labor Front party organized a peaceful assembly- after getting a permit from the administration of the university-in commemoration of the start of PFLP. Seven security members approached the gathering and beat the following students causing injuries to them: Nidal Al Qasas, 23 years old; Adham Al Mughani, 24 years old; Ahamd

Al Sultan, 22 years old; Muhanad Saleh, 22 years old; and Abdulrahman Abu Miri, 21 years old. They also badmouthed some female students affiliated with PFLP. Furthermore, a police force arrived at the scene and detained a number of students, including Mahir Mizhir, Secretary of PFLP at the university, Bashir Al Jamal and Muhammad Muhammad, members of PFLP board at the university). The police claimed that they were detained due to a complaint filed by the university security against them. They were later released.

- On 29th of December 2014, members of the police agency – security and protection unit- beat journalists Tamir Jamal Al Jamal, 30 years old, Cameraman of Al Ghad Al Arabi Stellite Channel and Elem Al Din Jabir Abu Safia, 22 years old, Assistant Cameraman of the same channel. They said that they were beaten while covering the visit of the consensus government delegation to Gaza. They were prohibited from doing their job and held for 30 minutes in a military jeep. Their camera was also broken.

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

- While the police agency deployed its forces in Al Yamun village near Jenin to settle the dispute, which broke out between two families, Frehat and Zayed, some youths of Zayed family broke the glass of one of the police vehicles after an argument between both sides. One hour later, more police forces entered the village to arrest five persons accused of breaking the glass of the vehicle. Eyewitnesses said that the Police Chief in the region told them "you would know the mentality of Hebronites, and I would trample on the mustache of your leaders", referring to tough mentality. The eyewitnesses also heard a police officer talking to the police forces through a radio. Then, the police forces attacked and hit members of Zayed family in addition to members of other families using batons and tear. The eyewitnesses added that the police forces searched nearby homes and attacked its residents, arresting 30 people and injuring several others. The arrested people were released after 24 hours.

ICHR tried several times to meet with the Police Chief in Jenin to understand what really happened, but the Police Chief has not appointed a meeting with ICHR until now. ICHR received (8) complaints from citizens who were assaulted by the police forces.

- On 1st of December 2014, Misbah Abdullah Mousa, 56 years old, from Deir Al Balah in Gaza, and who is a lecturer at Al Aqsa University was assaulted. According to the information provided to ICHR, while he was on his way back home, he was stopped by 30 armed people in uniform and forced to get on a military jeep. They held him for 10 minutes and threw him in unknown place. Another armed group arrived at the scene and beat him up severely. They questioned him about his job and moved him to a place close to his house. Members of his family took him to Al Aqsa Hospital for treatment. The police arrived at the hospital to hear his statement but he was not able to say anything at the time.
- On 10th of December 2014, Sabah Salama Qishta, 49 years old, and her son Nidal, 11 years old, from Rafah, were injured in an explosion near their house. The explosion hit a 4-storey building that has several institutions, including Yabus Charity, the Association of the Families

of the Martyrs and the Injured, and the Office of the Mufti of Rafah. The explosion caused damages to nearby houses. The police arrived at the scene and opened an investigation into the incident.

- On 11th of December 2014, the internal security closed the governor's office of Rafah in al-Barazil neighborhood. According to the information provided to ICHR, they entered the office while the governor, his assistant and other employees were doing their job. They asked them to evacuate the office and confiscated a computer and some documents. They also held Ashraf Abu Jalalah, employee at the office, for a few hours. This office which was headed by Governor Ahmad Nasir was inaugurated in September.
- On 12th of December 2014, unknown persons fired gunshots at the house and car of Azam Salhab, a deputy in the Palestinian Legislative Council, in Hebron. The police arrived at the scene and opened investigation into the incident. No injuries were reported.
- On 12th December 2014, an explosion took place at the Cultural Center in Gaza causing fires in the building. According to the information provided to ICHR, the explosion happened when an explosive device, located near the outer wall of the center, went off. A passerby was injured. The police arrived at the scene and opened an investigation into the incident. Two other explosions targeted the same center on 7th of October 2014 but no findings of the investigation were published yet.
- On 21st of December 2014, the offices of the Ministry of Civil Affairs in Gaza were attacked. They were closed, as a result. According to the information provided to ICHR, a group of persons (merchants) attacked the offices while Assistant Undersecretary Nasir Al Saraj and other employees of the ministry were inside. On the following day, the Chairman of the Civil Affairs Authority, Hussein Al Sheikh, instructed his Deputy to re-open the offices, given citizens' urgent need for civil services.
- On 26th of December 2014, a hair salon for women, belongs to Raghdeh Agha, was attacked in Beit Lahia in north Gaza. According to the information provided to ICHR, an explosive device, located near the door of the salon, exploded and caused damages to the salon. The police arrived at the scene and opened an investigation into the incident.

V. Violation of the right to travel and movement

ICHR received a complaint from Muhammad Ismael Jabir, 27 years old, from Nuserat refugee camp in Al Wusta governorate. Jabir claimed that in 2010, he applied to Pilgrimage and Omra, through Al Kurd Office, but his request was rejected by the general intelligence agency in Ramallah on 1st of January 2014. He added that he applied once again but to no avail.

VI. Appropriation of citizens' property without court order

- **ICHR** received a complaint in which the complainant claims that on 3rd of December 2014, the general intelligence searched Osama Mahmoud Rajoub's house, 24 years old, and

confiscated two mobile phones, checks, laptop, bank cards, ATM cards, identity cards and other documents without his knowledge.

- **ICHR** received a complaint in which the complainant claims that on 7th of December 2014, the preventive security agency in Hebron searched the house of Eias Saleh Abdulsalam Al Muhtasib, 33 years old, from Hebron, and confiscated DVR, CD, books, brochures, magazines, documents and a laptop.
- **ICHR** received a complaint from Firas Wael Talab Abu Sharkh, 40 years old, in which he claimed the general intelligence agency confiscated from him JD 3500 in September 2013. He said that he received this transfer from his aunt in Jordan and that he referred to the economic department of the general intelligence but to no avail.

VII. Delay in implementing courts' decisions

- On 21st of December 2014, the Conciliation Court of Hebron decided to release Firas Fayeze "Muhammad Al Rajabi", 27 years old, from Hebron, on bail of JD 5000. Although he paid the bail, the police of Hebron have not implemented the decision. He was re-detained for two weeks in Al Dahrya Correction and Rehabilitation Center at the Governor's decision.
- ICHR received a complaint from Islam Hassan Jameel Hamid who ended his imprisonment term in the detention center of the general intelligence in Ramallah. The High Court of Justice decided to release him on 24th of November 2014 but the decision has not been implemented yet.
- ICHR received a complaint from Mahmoud Mustafa Ahmad Aseeda who has been in detention in Jericho since 20th of November 2014, at Governor's decision. On 14th of December 2014, the Conciliation Court of Jericho decided to release him but the decision has not been implemented yet.

It is worth mentioning that 14 decisions issued by civil courts over the past few months have not been implemented yet.