



**Monthly Report on Violations of Human Rights and Freedoms in The Palestinian
Controlled Territory
September
2013**

This report presents a comprehensive overview of the major violations monitored by ICHR during the month of September 2013 in the Palestinian controlled territory. The following are the conclusions reached by ICHR based on the violations it monitored:

- ❖ ICHR monitored (4) cases of women being killed.
- ❖ ICHR monitored (6) cases of unnatural death, of which (4) were in the WB and (2) in the GS.
- ❖ ICHR monitored issuance of (2) death sentences by courts in the GS.
- ❖ ICHR received (3) complaints on non-implementation of courts' decisions in addition to non-implementation of (21) decisions issued by courts with respect to administrative issues.
- ❖ ICHR received (41) complaints on cases of torture and ill-treatment, of which (8) were against the Police Agency, (1) against the Preventive Security Agency in the WB, (29) against the Police Agency and (3) were against the Internal Security in the GS.
- ❖ ICHR received (1) complaint on violation of the right to freedom of opinion and expression.
- ❖ ICHR monitored a campaign conducted by the Internal Security in the GS during which it summoned tens of Fatah and Tamarud Movements.

Violations in detail:

I. Violation of the Right to Life and Physical Safety.

ICHR monitored (10) cases of unnatural death during the period covered by this report. Eight (8) of these cases occurred in the WB and (2) in the GS. As for the causes of these cases, they were distributed as follows: two (2) cases occurred in the WB due to lack of public safety precautions; (2) others due to misuse of firearms, of which one (1) occurred in the WB and the other in the GS. Six (6) other cases occurred under mysterious conditions, of which (5) in the WB and (1) in the GS.

The following provides more detail on the death toll during September 2013:

1. Deaths due to negligence of public safety precautions.

- On 24\9\2013, Fayez Ibraheem Hamoudeh, 46, from al-Qbeibeh village in the vicinity of Jerusalem died of severe injury he sustained of falling from a roof while working in a construction workshop. According to information gathered, he was rushed to Palestine Medical Complex in Ramallah on 19\9\2013 suffering skull fractures, brain bleeding, neck fracture and bruises on the back and lungs. He succumbed to his injuries five days later. The police opened an investigation into the incident.

- On 27\9\2013, Muhammad Malek Za'atereh, 8, from Jerusalem, died drowning in a swimming pool in Jericho. According to information gathered, he died due to lack of public safety precautions. The police opened an investigation into the incident and the Public Prosecution sealed off the swimming pool.

2. Deaths due to misuse of firearms:

- On 6\9\2013, Firial Khdeesh, 37, from Sahil Rujeeb village in the vicinity of Nablus, died of a bullet wound to the head fired by her son while tampering with a gun. According to information gathered, the police opened an investigation into the incident and arrested the person involved. The Public Prosecution is investigating the incident.

- On 21\9\2013, Saleem Ahmad Rajab, 21, from Bet-Lahia in the GS, died of a bullet wound to the abdomen. According to the information of the ICHR, the deceased was wounded when one of his relatives was tampering with an automatic firearm. The police arrested the person involved and opened an investigation into the incident.

3. Deaths under mysterious conditions:

- On 2\9\2013, Reema Thabet Jabir Abu Qbeiteh, 39, from the town of Betunia in the vicinity of Ramallah, died. The police opened investigation into her death and arrested a number of suspects. The reason why the crime was committed is still unknown.
- On 12\9\2013, Samar Abedulrahman Mahmoud Edesat, 21, from the town of Yata in the vicinity of Hebron died of asphyxia. She was, according to the medical report, mentally handicapped. According to information gathered, the police opened investigation into the incident and referred the body of the deceased to the Forensic Medical Institute for autopsy. The finding of the investigation indicated that she was pregnant. A (DNA) sample was taken from the fetus for examination to identify the child's father. While the mother of the deceased confessed that she choked her daughter to death, her brother confessed that he raped and killed her.
- On 13\9\2013, Riziq Abedrabuh Hasanin, 24, from Dier al-Balah city in the GS died of asphyxia. According to information gathered, the deceased, who was suffering personality disorder, was found hanged. His file was referred to the Public Prosecution for more investigation.
- On 21\9\2013, Samar Munzir Zaidan, 33, from Dier al-Ghsun village in the vicinity of Tulkarem, died of hanging by a wire. According to information gathered, her father killed her after (50) members of his clan decided to repudiate him claiming that his daughter behaved in contravention of religion and tradition. They published the statement of repudiation in public places in the village. The body of the deceased was transported to Thabet Hospital. Her father surrendered to the police and Public Prosecution started an investigation.
- On 25\9\2013, Tareq Nadeem Adeeb Jaiousi, 45, from Kur village in the vicinity of Tulkarem was found hanged in his room. The police arrived at the scene

and transported his body to Thabet Hospital in Tulkarem. He was suffering from a mental disorder since (15) years. The conditions of his death are still uncertain.

- On 28\9\2013, Hibah Muhammad Yousif Audeh, 27, from al-Ezareyeh in the vicinity of Jerusalem, died of a bullet wound she sustained on 9\22\2013. According to the information of ICHR, the police arrived at the scene and began investigating the incident. Investigation of the case still continues.

4. Death sentences:

- On 24\9\2013, In the first instance, a GS court sentenced (F.F.SH), 42, from Gaza city, to death by hanging after convicting him of deliberate killing in contravention of the Palestinian Penal Code of 1936. This sentence can be appealed.
- On 26\9\2013, the court of cassation in the GS upheld the death sentence issued by the court of first instance in the GS on 22\2\2010 against (A.Z.GH), 35, after convicting him of deliberate killing in contravention of the Palestinian Penal Code of 1936.

On 26\9\2013, ICHR issued a statement expressing its deep concern about the issuance of death sentences against citizens in the GS and demanded that the GS government stop such issuances.

5. Injury due to misuse of firearms—internal explosions.

- On 6\9\2013, Emad Sabri Abu Hajib, 46, a guard at the municipality's park in al-Shate' refugee camp in Gaza and Saleh Muhammad Saed, 50, from Gaza sustained bullet wounds to the foot. According to the statement of Abu Hajib, while he was working in the park with another citizen, five masked persons with rifles dropped off a car and shot them in the foot. The armed persons stayed in the area for (15) minutes and were able to identify them. The citizens who were in the nearby area transported them to al-Shifa' Hospital for treatment. He added that the incident is linked to a quarrel that took place two weeks before.
- On 18\9\2013, Basel Jabareen and his brother, Anas, from al-Taibah village near Jenin were on their way home when bullets fired wounded them. They were

transported to Jenin Hospital. The Governor of Jenin (Talal Dwekat) stated that suspects were detained and that they would be prosecuted.

- On 19\9\2013, Nasir al-Mahdi, 20, from Jenin, was wounded by two fired bullets to his leg while working in the center of the city. According to the information of ICHR, the police arrived at the scene and started investigation into the incident to find the perpetrator.
- On 29\9\2013, Hager Saleh Abu Giab, 60, Fatima Abu Giab, 19, and Sami Abu Giab, 24, from Mughazi refugee camp in al-Wusta Governorate in the GS were wounded with shrapnel in the foot when the son of Fatima Abu Giab started shooting in a family dispute. They were all transported to Shuhada' al-Aqsa Hospital. The police arrived at the scene and opened an investigation.

6. Torture during detention –cruel and degrading treatment.

ICHR received (41) complaints of torture and ill treatment during the period covered by this report of which (9) in the WB and (32) in the GS. They were distributed in the WB as follows: **eight (8)** complaints were filed against the General Investigation Unit of the Police Agency and (1) against the Preventive Security Agency. While in the GS, ICHR received (32) complaints of which (29) were against the Police Agency and (3) against the Internal Security. These complaints included allegations of different patterns of torture such as beating, punching and ill treatment.

II. Violation of the Right to due Process at Law: ICHR received (31) complaints of violations during the period covered by this report of the right to due process at law during detention in the WB. The persons detained were detained either arbitrarily or for political reasons. It also received (66) similar complaints in the GS. These complaints included allegations of the violation of the right to due process at law, inappropriate detention measures, political detention and non-separation of inmates.

III. Violation of the Right to Freedom of Opinion and Expression.

- On 22\9\2013, ICHR received a complaint from Abdulhaleem Nasar al-Til and Thaer Ahmad Abu Qbeiteh, from the town of al-Dahria in the vicinity of Hebron. They claimed that the Mayor of al-Dahria and the security agencies

chased them because they set up facebook page to discuss the problems of the town and press the municipality to make water and public services available for its citizens. They were summoned by the General Intelligence Agency and interrogated about their facebook activity. They were also summoned by the Police Agency on 21\9\2013 on charges of encouraging sectarianism. Then they appeared before the court of magistrates of Dura, which acquitted them. Abdulhaleem al-Tel claimed that the Police Investigation Unit in al-Dahria tortured him. He added that the authorities still pursue them for that activity despite the said court's decision.

IV. Assault on Personal Freedoms.

- On 1\9\2013, the Internal Security and the General Investigation Unit in the GS summoned tens of Fateh and Tamarud activists, including universities' lecturers and journalists from the different areas of the GS. They were interrogated about their activities in Fateh and Tamarud Movements and their critique of the government there. Some of them were obliged to pledge not to criticize the government or contravene the law. They stated to ICHR that they were beaten and affronted during detention. Others are still held at the time of writing this report. Some Fateh members were also warned through SMS not to participate in Tamarud Movement.

V. Assault on Persons, public and Private Properties:

- On 15\9\2013, Dr. Bilal Abu Subeih was attacked while working in Alia Hospital in Hebron. Waleed al-Atawneh, the hospital's Director General, stated that a citizen who was accompanying his patient mother attacked Dr. Bilal. Unable to find the registration office, this citizen began to call the doctors and nurses rude names. Dr. Bilal began to calm him down but the citizen didn't listen and struck the doctor in the chest and abdomen, causing him injury.

VI. Violation of the Rights of PWDs.

- ICHR received (7) complaints on violations during the period covered by this report of the rights of PWDs. These complaints included allegations of the violation of PWDs' right to work and access to public facilities, health services,

social security and other rights enshrined in the Law for PWDs and Palestinian Basic Law.

VII. Violation of the Right to Movement and Travel.

- During September 2013, ICHR received a complaint from Tawfeeq Abu Zreeq, 35, from Nuserat city in al-Wusta Governorate in the GS, in which he claimed that the Ministry of Interior in Ramallah declined his application for passport. He said that he applied for passport several times in 2012 but the Ministry declined his application due to "security reasons". ICHR addressed the Ministry of Interior and the Prime Minister with respect to this complaint but to no avail.

VIII. Delay in Implementing Palestinian Courts' Decisions

ICHR received (3) complaints during the period covered by this report on non-implementation of courts' decisions:

- Muhammad Saed Asi filed a complaint in which he claimed that he was detained by the General Intelligence Agency in Ramallah on 27\7\2013 for political reasons. He was then transferred to the General Intelligence Detention Center in Jericho. Though the Palestinian courts issued a decision to release him, the General Intelligence kept him in custody.

These decisions were as follows:

On 6\8\2013, Ramallah's Magistrates Court decided to release him on bail and Ramallah Court of Instance issued a similar decision on 24\9\2013.

- Muhammad Abdulfatah Mahmoud Dawood filed a complaint claiming that he was detained by the General Intelligence Agency in Nablus on 2\9\2013. The Court of Magistrates decided to release him on 16\9\2013, but the decision went unimplemented.
- Numan Ahed Muhammad Issa filed a complaint in which he claimed that he was held at Nablus Correction and Rehabilitation Center since 26\8\2013. The Court of Magistrates decided to release him on 2\9\2013, but the decision went unimplemented.

Twenty-one (21) administrative decisions issued by the Palestinian courts in the WB are still unimplemented.