



## Monthly Report on Violations of Human Rights and Freedoms In the Palestinian-controlled Territory

March 2010

This monthly report highlights major human rights violations as monitored and documented by the **Independent Commission for Human Rights (ICHR)** throughout the Palestinian-controlled Territory during the month of March 2010

**Based on ongoing monitoring and documentation of encroachments on human rights and public freedoms during the month of March 2010, ICHR concludes the following:**

1. Several cases of death occurred for various reasons due to security chaos and deaths within suspicious circumstances.
2. Torture of detainees persists in the Gaza Strip and West Bank, as indicated by detainees' claims and complaints filed to ICHR.
3. Detention of individuals prevails in both of the Gaza Strip and the West Bank without regard to due process and stipulations of the Basic Law and the Penal Procedural Code
4. The non-enforcement of courts' decisions and rulings continue in the West Bank.
5. Attacks on public and private properties continue with occurrences concentrated in the Gaza Strip this month
6. The Ministry of Interior in Ramallah continues to deny the Deposed Government of the supply of passport books

Below is a detailed description of the aforementioned violations:

### 1. Violations to the Right to life and Physical Safety

ICHR documented (12) cases of death in the Palestinian-controlled Territory during March 2010 including (3) deaths in the Gaza Strip and (9) deaths in the West Bank. As for the cause of death, these cases are distributed as follows: 4 death cases resulted from fights and family disputes, and manslaughter, one death occurred in the West Bank within suspicious circumstances. Also, 5 death cases were due to negligence and failure to take public safety precautions which occurred in the West Bank, while two deaths resulted from tunnels' accidents.

**The following provides more details on the death toll during the month of March:**

### ***Death due to fights, family disputes and manslaughter***

During the reporting period, **ICHR** documented 4 cases of deaths as a result of family disputes or manslaughter; one in the Gaza Strip and 3 in the West Bank as detailed below:

- On 14/3/2010, **Mohammed Marzouq abu Mo'amr**, a 65 year old citizen from Rafah City, died of a gunshot to the chest. According to **ICHR** information, the deceased was shot during a domestic dispute between two families residing in the Shokeh neighborhood to the east of Rafah. Weapons were used during the fight resulting in the immediate death of the deceased. The police arrived at the scene and arrested around 30 persons from both families.
- On 4/3/2010, **Izzieyh Abdul Aziz Khalil Khalayleh**, a 90 year old female citizen from the Sammou' town in the Hebron District drowned after she fell into a well in the yard of her house and was announced dead at Hebron Governmental Hospital. According to **ICHR** information, the investigation concluded that the grandson pushed her into the well during a family dispute. The police arrested the grandson and he simulated the accident before the public prosecution while the court extended his arrest.
- On 24/3/2010, **Sharif Mohammed Abu Ibeid**, a 21 year old male citizen from the town of Yatta in the Hebron District died from stab wounds by a sharp object. The accident occurred during a family dispute that took place between the families of the victim and the perpetrator over boundary delimitation of some pieces of land. The deceased was transferred to Al Itimad Hospital where he was announced dead. According to **ICHR** information, the perpetrator was arrested in order to take the necessary legal actions against him.
- On 21/3/2010, **Maher Khalil Mohammed Saber**, a 44 year old male citizen from Nablus who worked as a manager in a tailor shop in Al Ram died due to stabs sustained from a sharp object. The accident occurred following disputes between the workers and, according to information obtained by **ICHR**, the perpetrator was arrested and the police opened an investigation into the incident.

### ***Deaths in Suspicious Circumstances***

During this reporting period, one death case in suspicious circumstances was registered in the West Bank, as follows:

- On 11/3/2010, **Mohammed Ali Abed Hamdan**, a 42 year old resident of al-Shawawreh in the Bethlehem District was hung to death. According to **ICHR** information, the deceased was found hung inside his house and was announced dead at Beit Jala Hospital after the body was transferred there. Consequently, the public prosecution opened an investigation into the accident and decided to refer the body to the coroner's office for autopsy to determine the cause of death. Results came back as follows: "death is caused by suffocation a pressuring on the neck with a strap". However, no one was arrested for this case.

### ***Death due to Negligence and Failure to Adopt Public Safety Precautions***

During the reporting period, **5** cases of death occurred in the West Bank as a result of failure to adopt public safety precautions as described below:

- On 16/3/2010, **Abdallah Sami Abdul Hamid Al Azzeh**, a 19 year old resident of Azzeh Camp in the Bethlehem District, died as a result of gas leaks which lead to an explosion in the bakery store where he worked. He was transferred to the Hussein Medical Hospital where he remained to receive treatment for 4 weeks before he passed away.

- On 17/3/2010, **Mahmoud Yaser Halayqah**, a 4 year old child from the Shioukh town in the Hebron District died after he fell into a water pond at a deserted marble plant which the family owns. The child was transferred to Al Shioukh medical clinic after he died. The public prosecution and the police examined the child and the scene of the accident while no one was arrested. The owner was to fill up the pond with earth in order to prevent any similar accidents.
- On 25/3/2010, **Naji Mohammed Naji Issa**, a 12 year old child from Al Khader town in the Bethlehem District died due to injuries sustained from a fall off the roof of Cairo Elementary School which overlooks the Al Khader Stadium. The child fell from around 3 meters height to the ground and landed straight on the head. He was first transferred to Yamama Hospital then to the Arab Society Hospital where he passed away. It is important to note that the wall surrounding the school is not fenced and allows students to get into the school after regular school hours.
- On 1/3/2010, **Shahd Ra'ed Na'el Deis**, a 3 year old female child from Hebron City died as a result of an electric wiring that she sustained while playing with the electricity keys at her grandmother's house in Jericho. The child plugged the wrong wire of one of the electric devices which resulted in her immediate death. The accident caused her burns on the right hand and cardiac arrest.
- On 23/3/2010, **Abdul Fatah Abdul Fatah Abu Hadid**, a 35 year old male from Qalandya Camp in Ramallah District, died after the elevator fell on his head. Abu Hadid was carrying out maintenance work on the lift, used for elevating flower bags in one of the bakeries at the camp. The lift fell on his head due to negligence in safety precautions which resulted in his death.

### ***Tunnel- related Deaths***

**ICHR** documented 2 cases of tunnel-related deaths resulting from suffocations that took place in the tunnels on the Egyptian-Palestinian borders due to tunnels' collapse or electrical wiring.

### ***Death Sentences***

During the reporting period, the following death sentence was issued in the Gaza Strip as detailed below.

- On 3/3/2010, the permanent Military Court in Gaza sentenced (**N.M.A.**), a 51 year old resident of Rafah to death on charges of major treason as stipulated in Articles 131, 148, 132 of the Revolutionary Penal Code of 1979, as well as for interference in murder counter to Article 378/A of the same law, a verdict that is subject to appeal.

### ***Injury Due to Security Chaos, Misuse of Arms and Internal Explosions in the Gaza Strip***

During the reporting period, the following injuries occurred as a result of misuse of arms and internal explosions in the Gaza Strip as detailed below:

- On 2/3/2010, **Rami Abdul Rahim al-Khaldi** 35 years, **Wajdi Rasmi al-Khaldi**, 24 years and **Musa Hamoudeh al-Khaldi**, 27 years, from Al Breij Camp, were injured due to several gun shots sustained to the hands and legs. According to **ICHR** documentation, the shots were fired by a person who works for the police service. The police arrived to the scene and opened an investigation into the accident and arrested four suspects.
- On 3/3/2010, two male citizens, (**A.M**), 18 years, and (**M.J**), 15 years, sustained medium injuries after a hair salon exploded in Jabalya Camp. The latter's fingers were cut off of his right hand while the other wounded was hit by a shrapnel in his left eye. According to **ICHR** information, the explosion was caused after these two tampered with a grenade and they were transferred to Kamal Odwan Hospital for treatment.

- On 13/3/2010, **Saeed Riyad al-Saloul**, a 22 year old citizen of al-Briej City sustained injuries in his left foot from a shrapnel of a gunshot. According to **ICHR** information, he was shot while being at his work in a stone quarry when ten persons, six of them were masked and armed attacked the place and started shooting around and beat him severely. He was transferred to Shuhada al-Aqsa Hospital while the police were informed which, in turn, opened an investigation into the accident.
- On 14/3/2010, three citizens, **Mohammed Fadel abu Mo'amar**, 22 years, **Suleiman Khamis Mo'amar**, 34, year and **Mohammad Maerzouq Nadi**, 34 years, from al-Shokeh neighborhood located to the east of Rafah sustained injuries in the legs and feet from gunshots. According to **ICHR** information, the accident was a result of a family dispute in which weapons were used. The police arrived to the scene, opened an investigation into the accident and arrested around 30 people.
- On 21/3/2010, **Bilal Fayez abu Sha'ban**, 24 years from Deir al-Balah City, was shot in the left leg. According to **ICHR** information, the victim was shot while heading to his house as some masked and armed individuals riding a motorcycle opened fire at him from a Kalashnikov machine. Following the transfer of the victim to Shuhada Al Aqsa Hospital, the police arrived to the hospital and opened an investigation into the accident.
- On 25/3/2010, **Shadi Smaeer abu Ennaja**, 24 year old male citizen from Rafah was shot in the right thigh. According to **ICHR** information, he was injured after pointing a gun directly at him during a fight with his father while the police arrived and opened an investigation into the accident.
- On 26/3/2010, **Ayman Jamal Briek**, a 17 year old citizen from Beit Lahya City received a gunshot in the back. According to **ICHR** information, the abovementioned was wounded while being nearby his house during a random shooting by some celebrators. He was transferred to Kamal Odwan Hospital for treatment while the police arrived and opened an investigation into the accident.
- On 16/3/2010, **Mohammed Khaled al-Rafati**, a 3 year old child from Jabalya Camp was shot in the head. According to **ICHR** information, he was shot while playing in front of his house during a random shooting by celebrators. He was transferred to Kamal Odwan Hospital in a serious condition while the police arrived to the hospital and opened an investigation into the accident.
- On 26/3/2010, **Anas Sami Sowan**, 20 year old citizen from Al-Nseirat City was shot in the left hand. According to **ICHR** information, he was shot while being on the roof of his house by a random shooting from celebrators. He was transferred to Shuhada al-Aqsa Hospital for treatment. The police arrived to the hospital and opened in investigation into the accident.
- On 31/3/2010, **Nasr Allah Khalil Jarghon**, 33 years, from Khan Younis City received two bullets in the thigh and the waist. According to **ICHR** information, he was injured while walking down the street with his uncle nearby his residence. A civilian car pulled over near him, two armed persons got out of the car and fired in his direction from a Kalashnikov gun. The police arrived into the scene and opened an investigation into the accident while one person was arrested.

### ***Torture During Detention: Cruel, Inhumane and Degrading Treatment***

**ICHR expresses** its deepest concerns with regard to the persistence of practices by the security agencies that constitute infringements on the rights and safety of detainees in both of the West Bank and the Gaza Strip. In **ICHR** opinion, these practices should be prohibited, criminalized and punishable by law.

In March, **ICHR** has continued to receive complaints on a monthly basis from citizens alleging being subjected to ill-treatment and torture inflicted by the security agencies in both the West Bank and the *De facto* Government in the Gaza Strip.

In the **West Bank**, **ICHR** received **10** complaints by citizens claiming to have been tortured in the month of March. These complaints were against the following agencies:

- 3 complaints against the police service (1 against the civil police, 2 against the criminal investigation)
- 4 complaints against the General Intelligence

- 3 complaints against the Preventive Security Service

It is important to note that claims of torture are concentrated on severe beating, punching, hanging to the wall in addition to psychological torture and ill-treatment.

In the Gaza Strip, **14** similar complaints were lodged at **ICHR** against the two security agencies run by the Ministry of Interior of the Deposed Government (the Internal Security and the police).

Claims of torture were multiple as they included hanging to the wall, beating on feet, beating with batons and leather sticks, kicking on various parts of the body in addition to ill-treatment.

## **2. Violations to the Right to Proper Legal Process and Just Procedures-** which entails arbitrary detentions and arrests on political grounds.

**ICHR** is also deeply concerned by the continuation of incidents of arbitrary detentions and political arrests that do not comply with fair and proper legal procedures and those that deny citizens' their personal freedoms without any respective legal justifications. One of the most fundamental rights has been violated when detained citizens are deprived of their right to be presented before a natural judge (i.e. regular judiciary), which is considered a stark violation to the Palestinian Basic Law and the Penal Procedural Code as the security agencies continue to withhold people in the custody of the military judiciary.

Arbitrary detention practices continued at different paces in both of the West Bank and the Gaza Strip whereas **ICHR** received several complaints of citizens who claim they were arrested arbitrarily and were confined to detention centers.

In this regard **ICHR received (295)** complaints in the West Bank during the month of March, including **(190)** against security agencies, **(138)** of which focused on claims of the invalidity of procedures following the detention as the arrest was either arbitrary or on political grounds.

As for the Gaza Strip, **ICHR** received **(72)** complaints during the month of March, including **(31)** against the security agencies of the Ministry of Interior of the Deposed Government, **(18)** of which claim the invalidity of the procedures which followed their detention and arrest on political grounds.

## **3. Attacks on Public Freedoms, Freedoms of Speech and Peaceful Assembly**

The following violations occurred during this reporting period:

- Attack on freedom of peaceful assembly:** on 10-3-2010, the police prevented the Palestinian Democratic Union "Fida" from celebrating their union's anniversary which was supposed to take place in a closed restaurant in Gaza. According to **ICHR** information, a force from the General Investigation arrived to the Sammak restaurant located to the west of Gaza and informed all the organizers that the celebration is not allowed to take place. All banners were taken down and the manager of the restaurant was held for around an hour on the grounds of not obtaining a permit.
- Attacks on freedom of opinion and speech:** on 29/3/2010, the national security forces prevented journalists from covering news on a demonstration which was called for by the national factions in Bethlehem District. The demonstration was organized to protest crimes of the Israeli occupation while the National Security forces attacked a number of journalists by beating them with sticks and insulting

them, namely: **Mohammed Abu Ghannieh**, Reuters, **Iyad Hamad**, AP, and **Loai Sabaneh**, Ma'an News Agency. All three are cameramen for their agencies.

In this regard, **ICHR** issued a press release dated 30/3/2010 expressing its deepest concern of the dangerous violation of freedom of press and media and peaceful assembly inside the Palestinian-controlled Territory which are stipulated by all international conventions for human rights and national laws. **ICHR** also called for the formation of an investigative committee to report on the incident.

#### **4. Attacks on Public institutions and Public and Private Property**

In the month of March, **ICHR** documented the following attacks on public institutions and private properties:

- On 1/3/2010, a car owned by Kamal Banat, Head of Operations of the police in Gaza exploded causing a huge blast and extensive damage to the car itself. According to **ICHR**, a bomb planted underneath the car caused the explosion while being parked in front of the owner's house. The police arrived on the scene and opened an investigation into the accident.
- On 5/3/2010, the house of Mohammed Joudeh al-Nahhal, a member of the Revolutionary Council of Fatah Movement, was exposed to shooting in Gaza. At the same time, the car of his Guest, Suleiman Al Rawagh, member of Western Gaza leadership, also was shot at while being parked in front of al-Nahhal house. According to **ICHR** information, a number of armed people riding in a civilian car and two motorcycles were seen in the area while the firing came from inside the car towards the house and the guest's car. The police arrived to the scene and opened an investigation into the accident.
- On 7/3/2010, an explosion took place at the market in Al Shate' camp in Gaza causing severe damages to some stores there. According to **ICHR** information, a home-made bomb caused the explosion while the police arrived into the scene and opened an investigation into the accident.
- On 10/3/2010, an explosion took place near by the wall of Al Direh hotel to the west of Gaza. According to **ICHR** information, the police and other security services arrived to the scene and opened an investigation into the accident and one person was arrested.
- On 10/3/2010, a number of employees for the Ministry of Interior (MoI) broke into a lawyer's office in Khan Younis and confiscated belongings related to their work. According to statements of lawyers to **ICHR**, the MoI employees took their lawyer's cards, computer sets, printers, photocopiers, without following any of the legal procedures. They were also threatened to be shot and arrested. Some lawyers filed a complaint to the MoI controller at Khan Younis.
- On 15/3/2010, an explosion took place next to the Kheikh Radwan police station which caused damages to a nearby house. According to **ICHR** information, the explosion was caused by a sound bomb placed next to the station's wall. The police arrived to the scene and opened an investigation into the accident.
- On 17/3/2010, unidentified individuals broke into the premise of the Association of Women Committees in Gaza City and stole a laptop, a computer case, a digital camera, a cell phone and some cash while the door of the premise was not broken. After informing the police, they arrived to the scene and opened an investigation into the accident.
- On 18/3/2010, a bomb exploded underneath a car that belongs to Mohammed Ibrahim Abu Sha'ar from Rafah city which led to causing severe damages to the car and also to the gate of one of the nearby warehouses. According to **ICHR** information, the explosion resulted from a bomb that was planted underneath the car while being parked in front of the owner's house while the police arrived to the scene and opened an investigation into the accident.
- On 21/3/2010, the cafeteria in Al Maghazi Park of the municipality was burnt down. According to **ICHR** information, the fire resulted from pouring gasoline in all around the cafeteria while the civil defense forces arrived to the scene and put out the fire. The police also came to the scene and opened an investigation into the accident.

- On 25/3/2010, a huge explosion occurred at the Ansar security complex to the west of Gaza City. According to **ICHR** information, a bomb placed nearby the complex caused the explosion. The police arrived into the scene and opened an investigation into the accident.
- On 25/3/2010, members of the police service and the General Investigation escorted workers for the Ministry of Health to enter the Red Crescent Society- RCS premises in Gaza for the purpose of inspection on the latter's work. Once RCS workers denied this entry, they were forced to hand over the keys to the premise. The premise was searched and workers were detained and then transferred to the General Investigation headquarters in Gaza where they were forced to sign letters of commitment to abide by the laws in the Gaza Strip.
- On 27/3/2010, some unidentified persons stole a computer case and screen from the Women's Media Forum in Rafah without breaking and entering the premise. After informing the police, they came to the scene and opened an investigation into the accident.
- On 29/3/2010, a police force went into Bank of Palestine, Al Rimal Branch, and executed financial transactions, which were deposited at the bank, for the Patients' Friends Society in Gaza. Consequently, the bank closed the branch and all other branches in the Strip while the Monetary Authority decided to close all banks in the Gaza Strip for one day dated 30/3/2010 as an action of protest to the incident. According the Ministry of Interior and the police in Gaza, this was an execution to a court order in favor of the funds of a civil society "the Patients' Friends Society".
- On 30/3/2010, several gunshots were fired from a Kalashnikov machine towards a car owned by Mohammed Kamel al-Sultan, a 63 year old citizen from Beit Lahya causing severe damages to the car. According to **ICHR** information, he was heading home when his car was targeted by some masked and armed individuals of Hamas Movement whom were nearby one of the barriers while the police opened an investigation to find out the proceedings of the accident,

## **5. Delayed Execution and Procrastination in the Enforcement of Palestinian Courts' Judgments in the West Bank:**

During this month, the continuous failure to enforce courts' rulings and stalling of enforcement was noted especially in the West Bank. Any failure to enforce the decision of the Palestinian courts, regardless of their nature or level, is considered a forthright violation of the stipulations of the Palestinian Basic Law, and more notably Article (106) that states that "judicial decisions are enforceable and any form of defaulting on their implementation is a crime punishable by imprisonment or dismissal from office ...".

In this month, rulings and decisions, issued by the Court of First Instance in the city of Nablus, for the release of a number of citizens detained on the ground of "affiliation to militia" are still not being executed. Despite the actual payment of the specified bails, the security agencies insist on not releasing them.

During this reporting period, it was noted that the security agencies implemented the decisions made by the Supreme Court of Justice while they re-arrest the detainees after being released on new charges before they exit the detention center

As for the enforcement of rulings of both the Palestinian Supreme Court and the Court of First Instance, **ICHR** documented a number of complaints on the non-enforcement of decisions issued by the Supreme Court while the executive authority, in both its civil and military arms, failed to enforce those decisions until the writing of this report, including the following cases:

**First: decisions of relevance to unenforced releases due to the illegality of arrest procedures which were issued during the month of March**

No	Name	Place of Detention	Date of detention	Date of issuance of the verdict
1	Rami Nabeel Subhi Dar Musa	The preventive security detention center – Ramallah	12/2/2010	14/3/2010
2	Abdul Fatah Azzam al-Hasan	The preventive security detention center – Ramallah	26/5/2009	2/3/2010
3	Shadi Mohammed Akram	The Preventive Security-al-Thahrieh	14/1/2010	16/3/2010

**Second: decisions of relevance to unenforced releases due to the illegality of arrest procedures which were issued during the past months:**

No	Name	Place of Detention	Date of detention	Date of issuance of the verdict
1	Mohammad Rajab Shihdeh Fataftah	The General Intelligence detention center – Hebron	31/12/2008	10/1/2010
2	Mohammad Ahmad Souqieh	The General Intelligence detention center – Ramallah	6/2/2008	10/1/2010
3	Shareef Waleed Ghanem	The General Intelligence detention center – Ramallah	2/9/2009	22/2/2010
4	Ma'mon Ehsan Abd Allah Ashoor	The preventive security detention center – Nablus	31/12/2009	10/2/2010
5	Mohammad Ahmad Mahmoud Jaradat	The General Intelligence detention center – Nablus	31/3/2009	10/2/2010
6	Mohannad Mahmoud Jameel Nairokh	The General Intelligence Service detention center-Hebron	10/10/2008	19/1/2010
7	Dia al-Deen Hamdan Ali Musleh	The General Intelligence Service detention center-Ramallah	27/8/2009	10/1/2010 He stood before the military court and has a hearing on 13/4/2010
8	Tareq AbdulRazeq Dawod Zaid	The General Intelligence Service detention center Nablus	8/11/2009	12/1/2010 He was sentenced to a year and a half in prison by a military court on the grounds of countering the general policy of the Authority
9	Khaled Jameel Khaleel al-Siraj	The General Intelligence Service – Ramallah	Not recorded in the complaint	12/1/2010 He was sentenced to a year and a half in prison by a military court on the grounds of countering the general



				policy of the Authority
10	Jodah Mahmoud Daghra	The Military Intelligence Service- Ramallah	Not recorded in the complaint	14/10/2009 He was sentenced to 12 year sin prison by a military court
11	Khalil AbdulJaleel Khaleel Shahateet	The Military Police headquarters at the Military Prison- Hebron	3/10/2009	29/12/2009
12	Abd al-Salam Jamal Abd al-Salam abu al-heija	The General Intelligence detention center – Nablus	16/11/2009	30/12/2009 It was claimed that he executed the decision and he was arrested for another accusation at the same service
13	Ahmad Tayseer Mohammad Ghanem	The preventive security detention center- Ramallah	29/8/2009	24/11/2009 He has a hearing before a military court on 13/4/2010
14	Omar Tayseer Mohammad Ghanem	The preventive security detention center- Ramallah	30/8/2009	24/11/2009 He has a hearing before a military court on 13/4/2010
15	Ala` Tayseer Abd alhafeth Al sarkaje	The preventive security detention center- Nablus	14/1/2009	28/9/2009 He was sentenced to a year and a half in prison by a military court on the grounds of countering the general policy of the Authority
16	Majd Maher Rebhi Ibeid	The General Intelligence Prison in Jericho	11/10/2010	3/2/2010
17	Wisam Azam Abd al-Mohsen Kwasmeh	The General Intelligence detention center- Hebron	8/10/2008	19/1/2010

In addition to the aforementioned, administrative-related decisions were issued during the past months, however, the executive authority failed to enforce those decisions until the writing of this report, including the following cases:

1. On 24/6/2009, the Palestinian Supreme Court issued a decision to revoke a prior decision by the Ministry of Interior that ordered the appointment of an interim preparatory committee for the administration of **Yatta Charitable Society for the Care of Orphans** instead of the former elected administration. The court ruled that the Ministry's decision has not mentioned the case of such measure and the fact that it violates the provisions of Article 37 of the Charitable Associations Law of 2001 as the decision has not been enforced until the writing of this report.
2. On 22/4/2009, the Palestinian High Court issued a decision which ordered the police to reinstate **Nour Eddine Saleh Hammad**, into the police forces with all of his ranks. The aforementioned was dismissed from the police service since 1/11/2007. Nevertheless, the courts decisions remain unimplemented until the time of writing this report.
3. On 8/7/2009, the Palestinian Supreme Court of Justice revoked a prior decision by the Ministry of Interior that ordered the dissolution of the elected administrative body of Beit Ummar Society for the Care of Orphans, and the appointment of an interim preparatory committee. The court ruled that the Ministry's

decision has not mentioned the case of such measure and the fact it violates the provisions of the Charitable Associations Law of 2001.

4. On 6/7/2009, the Palestinian Supreme Court of Justice ordered the return of **Mohammad AbdulQader Ibrahim Karaja** to his place of work in the Police and to cancel his expulsion and all entailing issues of this decision which is claimed to violate the provisions of Article 19 paragraph 4 of the Security Agencies Service Law of 2005. However the police have not implemented the decision until the writing of this report.

## **6. Violations of the Right to Travel and Movement**

Gaza residents are still suffering from the unavailability of passport books since November 2008 until the end of this current month (March).

According to **ICHR** information obtained from officials from the Ministry of Interior of the Deposed Government, the MOI in the West Bank does not send passport books for citizens in Gaza Strip which entails depriving them from the right to travel and movement. In addition, it affects most of those in urgent need for traveling abroad for seeking medical care, university education, students and thousands of expatriates whose passports have expired and require renewal.

- On 4/3/2010, members of the police stationed nearby Beit Hanoun crossing “Erez” prevented Amal Tawfiq Hamad, from travelling to Ramallah. Ms. Hamad, a 48 year old citizen from Beit Hanoun, is a member of the secretariat-general of the Palestinian Women’s Union, and a member in the Revolutionary Council of Fatah Movement. The purpose of her travel was to attend the general conference for Palestinian Women which was supposed to be held in Ramallah. She was notified through the police that this bar was on political grounds.
- On 15/2/2010, members of the Internal Security forces stationed nearby Beit Hanoun crossing “Erez” prevented Joudeh al-Nahhal, 48 years from Gaza, from travelling through the crossing to Jordan to undergo a surgical procedure. According to **ICHR** information, this bar was on political grounds.

## **7. Dismissal from Civil Service (dismissed teachers who were appointed when Hamas Government took office in 2006):**

The Palestinian Ministry of Education continues to issue decisions for the dismissal or suspension of appointment against a number of school teachers and staff. In March 2010, **(17)** more complaints were filed to **ICHR**, thus increasing the total number of teachers' dismissal or suspension complaints filed to the **ICHR** over the past months to **(404)**. The complainants stated that their dismissals were made upon decisions by the Minister of Education and Higher Education under pretexts such as the non-obtainment of security clearance or approvals of their appointments from parties that are not the competent authorities to begin with or mandated by the law to assume such a responsibility. **ICHR** deems that such measures violate both of the Palestinian Basic Law and Law of Civil Service not to mention their infringement on citizens' right to assume public office equally and without discrimination.

