



**Monthly Report on
Violations of Human Rights and Public Freedoms
in the Palestinian-controlled Territory
February 2011**

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 February 2011.

Based on ongoing monitoring and documentation of encroachments on human rights and public freedoms during the month of February 2011, ICHR concludes the following:

1. Several death cases occurred for different reasons including death under mysterious circumstances, clans' disputes and neglect of public safety measures.
2. Most of the complaints received by ICHR against the security institution in the West Bank and Gaza Strip show that the security agencies still adopt security clearance policy as a basis for appointment of employees and renewal of service taxis licenses.
3. Torturing detainees continues in the Gaza Strip and the West Bank, as indicated by detainees' complaints submitted to ICHR.
4. The Preventive Security Agency and General Intelligence Agency released a large number of detainees but continued detention without regard to due process in both the West Bank and the Gaza Strip.
5. Ongoing non-execution of court decisions and referring released cases to military courts which in their turn sentence them again.
6. Increase in violations of the right to peaceful assembly in the West Bank and the Gaza Strip

Below is a detailed description of the aforementioned violations:

I. Violation of the Right to Life and Physical Safety

ICHR has monitored during the period covered by this report 13 death cases in the Palestinian-controlled Territory, including 7 cases in the Gaza Strip and 6 cases in the West Bank. As for the cause of death, these cases were distributed as follows:

One death case occurred due to disputes and manslaughter in the West Bank, and 2 deaths occurred due to arms misuse in the Gaza Strip. Six deaths occurred due to negligence and lack of public safety measures including 4 in the Gaza Strip and 2 in the West Bank. In addition, 4 deaths occurred under mysterious circumstances including 3 in the West Bank and 1 in the Gaza Strip.

The following provides more details on the death toll during the month of February, 2011:

1. Deaths Due to Clan Disputes, Manslaughter and Acts of Revenge

ICHR monitored during the period covered by this report the following death cases which occurred due to clans' disputes in the West Bank:

On February 24, 2011, **Ayman Jamal Mutier, 14 years old**, from Qalandia refugee camp in Jerusalem, died of a wound to the neck which he sustained in a quarrel with his friend in the camp. According to the information of ICHR, the police arrived at the scene and opened investigation into the incident. It showed that he was hit with a broken glass bottle in his neck. The perpetrator who is 14 years old was detained.

2. Deaths due to firearms misuse: ICHR monitored during February two death cases which occurred in the Gaza Strip due to firearms misuse.

- On February 12, 2011, **Muhammad Raed Dughmush, 12 years old**, from the city of Gaza died of a bullet wound to the head fired by his 15 year old relative who was tampering with a pistol belonging to a member of his family. According to the information of ICHR, the police arrived at the scene and opened investigation into the incident after seizing the perpetrator.

- On February 23, 2011, **Malak Osama Inshasi, 12 years old**, from the city of Khan Younis, died of suffocation when a wall of a house collapsed over her as a result of a blast on the roof of a house nearby. The police arrived at the scene and opened investigation into the incident.

3. Death under mysterious circumstances: ICHR monitored during February 4 death cases that occurred under mysterious conditions including 3 in the West Bank and 1 in the Gaza Strip as follows:

- On February 11, 2011, **Mahmoud Zahir Mari, 7 years old**, from the refugee camp of Jabalia, died of suffocation. According to the information of ICHR, the child was found hanged on the roof of his family's home. The police report showed that the child hanged himself while he was playing.

- On February 24, 2011, **Samih Numan Ahmad Abed, 24 years old**, from the village of Kufur Dan near Jenin was found dead in a farm. According to the information of ICHR, the police opened an investigation into the incident and found scars of rope round the neck of the deceased. The corpse was transferred to the Forensic Institute in Nablus for an autopsy. Investigation into the incident hasn't been concluded yet, and no suspect was arrested.

- On February, 2011, **Muhamad Adnan Atawneh, 19 years old**, from the town of Bet Kahil near Hebron was found hanged at the family's home. The corpse of the deceased was admitted to Al-Ahli Hospital in the city of Hebron. The police opened an investigation into the incident and transferred the corpse to the forensic institute for autopsy. Investigation hasn't been concluded yet.

- On February 28, 2011, **Fadi Muhammad Al-Muhtasib, 7 years old**, was found dead in a deserted well in an agricultural area in Hebron. The police arrived at the scene and opened investigation into the incident. The public prosecution transferred the corpse to the forensic institute for autopsy. A number of suspects were arrested.

4. Deaths due to Neglect and Failure to Adopt Public Safety Precautions.

Six death cases occurred during February due to negligence and failure to adopt public safety measures. Two of these cases occurred in the West Bank and 4 in the Gaza Strip as follows:

- On February 8, 2011, **Rula Abu Hamdeh, 25 years old**, from Nablus died after giving birth by Caesarean at a private hospital in the city. According to the information of ICHR, a committee was set up by the Ministry of Health (MoH) and the Governorate Office to investigate into the incident. The members of the committee visited the hospital for days and interviewed physicians and nurses. The corpse of the deceased was transferred to the forensic institute for autopsy. After the investigation, the

committee decided to close the sections of obstetrics and cardiac diseases at the hospital until conditions are improved. The enforcement of the decision started on 26\2\2011.

- On February 6, 2011, **Hiba Hiwari, 20 years old**, from the city of Nablus, died after giving birth by Caesarean to twin babies at a private hospital in the city. According to the information of ICHR, the MoH and Governorate's Office set up a committee to investigate into the incident. The committee visited the hospital for days and interviewed from several doctors and nurses. It then decided to close the obstetrics and cardiac diseases sections at the hospital until conditions are improved. The decision was issued on 26\2\2011.

- On February 26, 2011, **Nariman Mustapha Subih, 15, Hadia, 5 and Muhammad, 1**, from the city of Bet Lahia, died of a fire in their family home. According to the information of ICHR, the three siblings were sleeping in the same room when the fire broke out due to misuse of gasoline cooker inside the room. The firefighters arrived at the scene, put out the fire and took out the bodies of the children. The police opened investigation into the incident.

- On February 27, 2011, **Mahmoud Hani Abu Tumia, 2 years and a half old**, from the town of Khuza' in Khan Younis, died of drowning. According to the information of ICHR, the child fell in a water pool used for irrigating his family's farm while he was playing nearby. The police arrived at the scene and opened investigation.

5. Death Penalty

On February 3, 2011, the Gaza District Court sentenced H.F.W, 34 years old, from Gaza city, to death by hanging after convicting him of murder. The sentence was issued according to the Palestinian Penal Law of 1936. It is noteworthy that the execution of death sentences requires the endorsement of the President of the Palestinian National Authority.

6. Injuries due to Misuse of Firearms-Internal Explosions

- On February 13, 2011, **Ayed Saber Al-Akhras, 20 years old, from Rafah**, sustained multiple bullet wounds to his legs. According to the information of ICHR, masked unidentified persons shot him while he was at a barber shop in the city. The police arrived at the scene and opened investigation into the incident.

- On February 17, 2011, **Mustafa Samir Al-Flit, 5 years old**, from the town of Deir Al-Balah sustained multiple shrapnel wounds to different parts of his body. According to the information of ICHR, he was wounded when a primary rocket penetrated his family's home. The police arrived at the scene and opened investigation into the incident.

- On February 18, 2011, **Fareed Muhammad Al-Hawagri, 60 years old**, from the town of Al-Zawayda in Gaza, sustained a fire bullet wound to his left hand. According to the information of ICHR, he was wounded while he was going home during a dispute between two families. The police arrived at the scene and opened investigation into the incident. They arrested the man suspected of shooting during the dispute.

- On February 16, 2011, **Atef Ali Zyun, 21, Khaled Zaki Zanun, 35, Awad Muhammad Zanun, 48, Ayman AbedZanun, 23, Awni Saed Qanu', 23, Khaled Husien Abu Adra, 25** from the neighborhood of Al-Shabura in Rafah city sustained different injuries of a hand-grenade shrapnel. According to the information of ICHR, the grenade was blown off in a family dispute. The police opened investigation into the incident and arrested a number of suspects.

- On February 16, 2011, **Mahmoud Karim Abu Sabha, 21 years old**, from the town of Al-Qarara in Khan Younis sustained a bullet wound to the right thigh when he was shot by masked persons driving a motorcycle. According to the information of ICHR, he was shot while he was walking down a street in the town. The police arrived at the scene and opened investigation into the incident.

7. Torture, cruel and degrading treatment in detention:

ICHR expresses its grave concern over the ongoing serious violation of detainees' rights by the security agencies and considers all patterns of ill-treatment and torture practiced by these agencies in the Gaza Strip and the West Bank prohibited and punishable by law. ICHR continued over the month of February and the months before to receive complaints from persons claiming they were subjected to torture at the hands of members of the security agencies operating in the West Bank and the security agencies affiliated to the De facto Authority in the Gaza Strip.

ICHR received during the period covered by this report 90 complaints in the West Bank against the security agencies of which 20 (22% of the total number) include claims of torture and ill treatment.

These complaints were distributed as follows:

- 6 complaints against the police agency
- 11 complaints against the preventive security agency
- 3 complaints against General Intelligence Agency (GIA)

Torture allegations hinged on standing in a hard position for long hours (Shabah), beating, punching, flogging, threatening, psychological pressure and ill-treatment.

In the Gaza Strip, ICHR received during February 46 complaints against the security agencies of which 41 (30%) include claims of torture and ill-treatment during detention by the Internal Security and police adhering to the MoI of the Deposed Government. Torture allegations varied according to the affidavits of the complainants. Most of them claimed that they were subjected to standing in a difficult position ("Shabh") for long hours, flogging, tying the hands behind the back, suspension, blindfolding, beating using batons and hoses, punching and ill-treatment. ICHR recalls that the Internal Security has been prohibiting its field researchers since the beginning of 2010 from visiting detention centers administered by them, to monitor the living conditions of the detainees. ICHR also recalls that it has not received any response to its letters concerning the complaints received from the detainees' relatives.

II. Violation of the Right to Proper Legal procedures – Arrests Based on Political Affiliation

The preventive security agency and GIA freed a large number of the detainees held by them. The security agencies in the West Bank also began to bring detainees held by them before civil courts, but haven't stopped bringing civilians before military courts completely. Such a conduct leads the **ICHR** to express its grave concern over ongoing arbitrary detention and non-compliance with proper legal procedures during detention. Such measures constitute a stark violation of personal freedoms in contravention of the law. Detainees are deprived of their major rights including access to the civil judiciary since bringing detainees before the military judiciary constitutes a clear breach of the Palestinian Basic Law and Criminal Procedures Law.

Arbitrary detention continued in the West Bank and the Gaza Strip, and ICHR received during February 117 complaints in the West Bank of which 90 against the security agencies. 34 Complaints focused on the inappropriate procedures of detention. Most of the complainants claimed that they were arbitrarily detained or for political reasons.

In the Gaza Strip, ICHR received during the same month 70 complaints of which 46 against the security agencies which are adherent to the MoI of the Deposed government. 13 of these complaints focused on inappropriate detention procedures and politically driven detention.

III. Violation of the Freedom of Peaceful Assembly and Freedom of Press

Several assaults on the freedom of peaceful assembly and freedom of press and associations took place during the month of February:

1. Peaceful Assembly - ICHR documented during the period covered by this report the following violations of freedom of peaceful assembly:

- On February 2, 2011, a group of citizens gathered at Al-Manara square in Ramallah at 9:00 pm to organize a rally in support of the Egyptian people, but the police dispersed them and checked the identity cards of some of them. They also seized some of the participants for two hours at the police center of Ramallah under the pretext that the rally was organized without a permit from the police agency.
- On February 5, 2011, the police attacked a peaceful rally organized by the national parties and independent agencies in solidarity with the Egyptian people. They beat some of the participants and took them to the police center in Ramallah and then to the compound of the GIA for investigation.
- On February 17, 2011, a number of students who organized a rally in support of the Egyptian people were attacked and beaten by the security forces in Ramallah. They filed complaints with ICHR and asked it to investigate the incident.
- On February 4, 2011, the internal security agency in Gaza detained Mahmoud Muhammad Abu Hilal 21 years old and Hazim Abdelbasit Abu Hilal, 22 years old from Al-Azhar University for participating in the social networking activities “Facebook” calling for organizing a rally under the title of “Al-Karama” (dignity) which was expected on February 11, 2011. They are still in detention until the time of writing this report.
- On February 11, 2011, the internal security agency in Gaza summoned Abdelaziz Afifi, 27, Muhammad Juma, 29, Ahmad Najjar, 29, Fadi Khair Adin, 31, Bilal Khair Adin, 21, Muhammad Atawil, 31, Husni Garbu’, 20, Khalid Abu Zaid, 21 and Ahmad Malahi, 17, from the governorate of Rafah for their participation in social networking activities “Facebook” calling for organizing “Al-Karama” rally.
- On February 10, 2011, the Public Investigation Agency summoned Mazen Shahin, Iyad Nasir and Nabil Al-Agha, members of Fatah movement in Khan Younis. They were interrogated about using “Facebook” to organize a rally on February 2, 2011. They were warned of taking part in such rallies or calling for them. They were also requested to notify all Fatah members in Khan Younis of this warning. They were released after 4 hours of detention. The same agency also summoned Ali Nasir and Osama Kidan members of Fatah movement at Rafah for the same reason.
- On February 11, 2011, the police of Gaza broke up a peaceful gathering organized by a number of citizens after Friday’s prayer in Khan Younis. According to the affidavits received by the ICHR, they gathered in response to youths’ call circulated through “Face book” to end the division. The police beat the participants before dispersing them.
- On February 14, 2011, four armed men in uniforms broke into the house of Ahmad Arar Al-Awatna, 31 years old from Al-Nusierat, and searched it. They also confiscated his personal belongings (identity card, passport, mobile phone, house keys). He was detained for several hours and warned against the use of the “Facebook” for organizing rallies demanding an end to the division. He was released without restoring his personal belongings.
- On February 22, 2011, the internal security of Gaza detained Sadi Hamad, Mahmoud Manirawi, Anwar Al-Shiekh, Muhammad Ismael and Anas Safin while they were gathering in the Cafeteria ‘Gallery’ in Gaza. According to the affidavits received by the ICHR, they were detained because they were making a televised interview about the electronic web sites role in organizing a peaceful gathering on March 15, 2011 to demand an end to the Palestinian division. Members of the internal

security prevented them from completing the interview. They confiscated their personal belongings (identity card, mobile phones, and laptops) and asked them for an interview at the compound of the internal security. They released them after interrogation, but asked one of them to come back for another interview on the following day.

- On February 23, Mahmoud Yahia Al-Minrawi, 20 years old from Rafah was summoned by the internal security in Gaza. He was interrogated about activities related to calls for ending the Palestinian division. The call was conducted by the Youths of March 15th. He was accompanied by members of the internal security from his house after confiscating his computer set. He was released on February 24, 2011, after being notified to attend another interview on the following day. Mahmoud was summoned also on February 11, 2011 and interrogated about his participation in “Al-Karama” rally.

- On February 10, 2011, the Public Investigation Agency summoned tens of Fatah movement’s members at Deir Al-Balah police center and held them for hours. It interrogated them about activities related to peaceful gatherings published on web pages. They were warned against taking part in such activities.

- On February 21, 2011, the Public Investigation department at the town of Bet Hanun notified Saber Mousa Azanin, general coordinator of the local initiative at the town, not to organize a peaceful rally against the separation wall built by Israel. He said that the local initiative organizes such a rally on weekly basis by notifying the director of the Public Investigation Department two days before the date of the rally.

- On February 28, 2011, members of the internal security broke up a peaceful gathering in the Unknown Soldier Square in Gaza city. The campaign against the division called for such a gathering through social networks. Members of the internal security severely beat the coordinator of the campaign, Ahamd Arar, and arrested him. The police said that they prohibited such a gathering because it was organized without a permit.

2. Freedom of Press and Expression

ICHR documented during the period covered by this report the following violations of press freedoms:

- On February 11, 2011, Shawqi Yahya Al-Fara, correspondent of the German TV, was attacked by members of the security services while he was covering a peaceful rally in Khan Younis. They confiscated his press card and camera and beat him.

- On February, 17, 2011, the internal security summoned Samih Dib Ramadan, 30 years old, from Khan Younis, journalist, working for the Radio of ‘the Voice of the People’ in Gaza. According to the affidavit he submitted to the ICHR, he received a phone call from a member of the internal security on February 5, 2011 which warned against incitement on a radio talk show ‘Talk of the Suburb’. He was later summoned by the internal security to sign a document pledging not to break public order. He was released on the same day.

3. Assault on Public Freedoms: ICHR documented during the period covered by this report the following violations of public freedoms:

- On February 19, 2011, Nael Bakir Aryes, Hatem Midhat Al-Ghul, Adnan Barakat and Ramzi Kishta from Gaza, hairdressers, were summoned by the Public Investigation Agency at Al-Abass police center in Gaza. According to the information of ICHR, they were ordered by the MoI to quit their work as hairdressers or even to be present in women’s hair salons. They were forced to sign a pledge to give up their profession or face arrest and a 20,000 Shekel fine. The police agency has published on its web page on March 3, 2010 a decision signed by the Minister of the Interior of the Deposed government banning men from styling women’s hair.

- On February 9, 2011, five members of the police service attacked the Attorney Ahmad Daoud Faraj at the Bethlehem District court. They broke into the room of the attorneys inside the court's chamber and dragged him from his collar to the internal yard of the court. One of the police members beat and choked him by pressing his neck. The attorney's colleagues intervened and freed him from the police. He was then rushed to the Arab Society Hospital in Beit Jala for treatment. The Public Prosecution put the policemen involved under arrest.

4. Assaults on Public Associations and Public and Private Property

- On February 25, 2011, a locally-made grenade went off in the parking lot of the house of Maher Issa, 60 years old from Gaza city. Maher is a physician at Gaza Al-Ahli Arab Hospital. According to the information the ICHR received from Maher, the car of his brother was partially damaged due to the explosion and that he received a threat on his mobile phone, stating: 'Unless you back down on your current conduct of tyranny and spite and your missionary effort, the reaction would be much more than expected and nobody would help you'. The police arrived at the scene and opened investigation into the incident. It is worth mentioning that Dr. Maher is Christian.

IV. Delaying Implementation of Palestinian Court Decisions in the West Bank

Non-implementation of court decisions and rulings during the period this report covers and the months before has continued in the West Bank. Such conduct by the Palestinian courts regardless of their degrees is a blatant breach of the Palestinian Basic Law, particularly, article **106**, which stipulates that "Judicial decisions are enforceable and any form of refraining from that is a crime punishable by imprisonment and dismissal from office."

As per the non-implementation of decisions of both the Palestinian High Court of Justice and the District Court, ICHR documented a number of complaints. The High Court of Justice issued some decisions, but the Executive authority, in both its civil and military wings, failed to implement those decisions up to the moment of this report. *The following are among these cases:*

First: In February, ICHR received a number of complaints relating to release decisions issued due to the illegality of the detention procedures, but these decisions went unimplemented:

Number	Name	Detention Center	Detention date	Verdict issuance date
1	Ahmad Ayed Ahmad Shtayeh	Military Intelligence Agency/ Ramallah	13\2\2011	2\2\2011, the decision was issued by the regular court and he was referred to the military intelligence.
2	Ali Khalil Tarayreh	Preventive Security/ Hebron	1\11\2010	9\1\2011, sentenced by the military court on 24\2\2011, to six months in

				prison
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Second: Decisions of release issued during previous months due to the illegality of detention Procedures, but went unimplemented:

Number	Name	Detention Center	Detention date	Verdict issuance date
1	Bagis Younis Amer	Preventive Security Investigation Centre / Hebron	8\10\2010	9\1\2010, sentenced by the military court on 21\2\2010, to a year and a half in prison.
2	Abedrahman Shtyeh	Military Intelligence	16\9\2010	9\1\2011
3	Omar Mustafa	GIA\ Ramallah	9\10\2010	9\1\2011
4	Ala' Khasib	Preventive Security\Ramallah	7\10\2010	28\11\2011
5	Moiad Tayeh Bani Audi	GIA\ Ramallah	22\7\2007	6\12\2010
6	Jihad Ismael Abu Qbietah	Preventive Security Investigation Centre / Hebron	20\9\2010	17\10\2010, sentenced by the military court on 21\2\2011 to a year and a half in prison
7	Mahmoud Jamil Alkam	Preventive Security, Dahrya	2\11\2010	6\12\2010
8	Badir Ahmad Abu Ayash	Preventive Security Investigation Centre /Jericho	14\9\2010	17\10\2010. Sentenced by the military court on 29\12\2010 to six months in prison and JD500 fine.
9	Abedfatah Azzam Muhammad Al-Hassan	Preventive Security\ Ramallah	20\5\2009	2\3\2010, appeared before the military court on 14\8\2010. The session was adjourned till 21\9\2010 when he was sentenced to

				(12) years in prison.
10	Muhammad Majid Mari'	Military Intelligence\ Nablus.	30\1\2010	28\6\2010, the military court issued a decision releasing him because he is a policeman, but the decision was not implemented. On 18\9\2010, the same court sentenced him to (2) years in prison
11	Muhammad Issam Suliaman	Preventive Security\ Ramallah	2\4\2010	10\7\2010
12	Nidal Mustafa Al-Asmar	CIA\ Nablus	8\4\2010	4\7\2010. Sentenced on 7\11\2010 by the military court to a year and a half in prison
13	Mamun Ihsan Ashur	Preventive Security Detention Center of Nablus	31\12\2009	10\2\2010, sentenced by the military court of Nablus to (2) years in prison.
14	Dia' Addin Hamdan Mislh	Military Intelligence\ Ramallah	27\8\2009	10\1\2010, appeared before the military court and he had a session on 11\7\2010
15	Hasan Mustafa Zagha	Military Intelligence\ Nablus	14\2\2010	14\12\2009, sentenced by military court to (2) years in prison and on 12\4\2010, the Supreme Court of Justice issued a

				decision
16	Muhammad Ahmad Tami	GIA\ Nablus	6\7\2010	6\9\2010. He was sentenced on 7\11\2010, sentenced to a year and a half in prison by the military court
17	Anwar Abedrahim Harb	Preventive Security Investigation Centre /Jericho	8\8\2010	7\11\2010. Sentenced to (1) year in prison by a military court on 29\12\2010
18	Muhammad Idres Al-Emlah	Preventive Security Investigation Centre / Hebron	14\10\2010	21\11\2010
19	Yaser Abedfatah Amer	Preventive Security Investigation Centre / Hebron	24\8\2010	7\11\2010. Sentenced to (8) months in prison by military court on 29\12\2010
20	Muhammad Barakat Al-Atrash	GIA\ Jericho	1\9\2010	7\11\2010
21	Muhammad Hussien Abu Hadid	GIA\ Jericho	3\9\2010	7\11\2010
22	Saed Hussien Zakareya	Military Intelligence \ Ramallah	28\6\2010	7\11\2010
23	Islam Al-Aruri	Preventive Security \ Ramallah	8\10\2010	25\11\2010. He was released but detained before leaving the gate of the Detention Center
24	Ibrahim Mahmoud Abedmajid	Preventive Security \ Ramallah	26\9\2010	28\11\2010
25	Ibrahim Eid Hadalin	Preventive Security Investigation Centre / Hebron	14\10\2011	28\11\2010
26	Adnan Amer	GIA\ Ramallah	28\8\2010	7\11\2010

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Third: In February, regular courts of Hebron and Bethlehem allowed release of detainees on bail. ICHR addressed the Attorney General but received no answer up to the moment of writing this report:

Number	Name	Detention Center	Detention date	Verdict issuance date
1	Salameh Abedalmuhsin Sghyer	Preventive Security Investigation Centre / Hebron	14\1\2011	1\2\2011, Hebron's Magistrate Court decided his release on bail (JD 1000). The decision hasn't been executed yet
2	Hisham Taher Abdin	GIA \ Hebron	12\1\2011	20\2\2011, Hebron's Magistrate Court decided his release on bail (JD 1000). The decision hasn't been executed yet
3	Suhiab Azeez Al-Assa	GIA\ Bet- Lehem	13\2\2011	20\2\2011, Bet- Lehem's Magistrate Court decided his release on bail (JD 300). The decision has not been executed yet.

Besides these decisions, administrative decisions were issued during the past months, but the Executive Authority hasn't implemented any of them. The following are some of these decisions:

1. On 24\6\2009, the Palestinian High Court of Justice issued a decision revoking the Ministry of Interior's decision of appointing a provisional Preparatory committee for the management of Yatta's Islamic Society for Orphans' Care instead of the former elected administrative committee. The court ruled that the Ministry's decision didn't mention the reason of such a measure and the fact that it constitutes a breach of article (37) and the provisions of the Charitable Associations' Law of 2001. Nonetheless, the decision of the court hasn't been implemented yet.

2. On 22\4\2009, the Palestinian High Court of Justice issued a decision reinstating **Nur al-Din Hamad** who was fired from his profession as a policeman on 1\11\2007. The court's decision wasn't implemented up to the moment of writing this report.
3. On 8\7\2009, the Palestinian High Court of Justice issued a decision revoking the Ministry of the Interior decision of appointing a provisional preparatory committee for the management of Bet Umar Society of Orphans' Care instead of the former elected administrative committee. The court ruled that the Ministry's decision didn't mention the reason of such a measure and the fact that it constitutes a breach of the provisions of the charitable associations' law of 2001. The court's decision hasn't been implemented yet.
4. On 21\4\2010, the Palestinian High court of justice issued a decision reinstating **Muwafak Saadat** as a supervisor on physical education in the ministry of education and revoking the decision of demoting him to a teacher of physical education. It also revokes all the effects of the decision challenged because of its breach of the provisions of the Civil Service Law.

IV. Violation of the right to Movement and Travel.

The ongoing suffering of the people of the Gaza Strip seems to continue, as Gaza governorates have run out of passports since November 2008 up to the period covered by this report. According to the information which ICHR received from officers of the Ministry of Interior (MoI) of the Deposed government, the MoI in the West Bank refuses to issue passports for the citizens of the Gaza Strip, depriving them of their right to movement and travel. Along the same lines, this situation has adverse impact on the patients who need to travel for treatment abroad, students who study abroad and thousands of expatriates whose passports expired and need issuance of new ones.

The Ministry of Interior in Ramallah refused issuance of new passports for many citizens of the Gaza Strip applying for that through public services offices. Samir Sulaiman Abu Jazar, 47 years old, from Rafah, applied for a new passport on August 29, 2010, but his application was declined for security reasons. He applied again on February 2, 2011, but was declined due to the same reason.

V. Dismissal from Public Service

The Ministry of Education and Higher Education continues to fire teachers and employees of its departments and suspend the procedures of their appointment. ICHR received 3 complaints over the month of February 2011 against the Ministry in this regard. The number of the complaints lodged to ICHR in this respect has risen to **481 complaints**. The complainants claim that they were fired by a decision of the Minister of Education and Higher Education under the pretext that they haven't attained a recommendation from certain departments which have no authority or mandate thereof. ICHR considers such a measure as a breach of the Civil Service Law and the Palestinian Basic Law and an infringement on citizens' right to assume public office without discrimination.