



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

May 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 May 2010.

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

1. Several cases of death occurred for various reasons due to security chaos and deaths within suspicious circumstances.
2. Execution of death sentences in the Gaza Strip by the Deposed Government
3. Torture of detainees persists in the Gaza Strip and the West Bank, as indicated by detainees' claims and complaints filed to **ICHR**.
4. Detention of individuals prevails in both the Gaza Strip and the West Bank without regard to due process and stipulations of the Basic Law and the Penal Procedural Code
5. The non-enforcement of courts' decisions and rulings continue in the West Bank.
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 **22** deaths in the Palestinian-controlled Territory during May 2010 including **20** deaths in the Gaza Strip and **2** in the West Bank. As for the cause of death, these cases are distributed as follows: 2 death cases resulted from fights, disputes and manslaughter in the Gaza Strip, 3 deaths (2 in the Gaza Strip and 1 in the West Bank) were caused by the security chaos. Also, 4 deaths were due to negligence and failure to take public safety precautions, 3 of which occurred in the Gaza Strip and one in the West Bank, while 9 deaths resulted from tunnel accidents and 3 cases were the result of executions of death sentences.

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

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

During the reporting period, **ICHR** documented death cases as a result of family disputes or manslaughter in the Gaza Strip as detailed below:

- On 6/5/2010, **Hanthala Saeed Eid**, a 17 year old citizen from Nseirat City, died of a stab by a sharp object which caused severe wounds to his neck. According to **ICHR** information, the deceased was injured during a domestic dispute and was transferred to Shuhada' Al Aqsa Hospital in Deir Al Balah, then to the Shifa hospital in Gaza. As his condition was critical, he was transferred to an Israeli hospital where he passed away. The police opened an investigation into the accident and arrested a number of suspects for questioning.
- On 16/5/2010, **Saher Ibrahim Al Qur'an**, a 34 year old resident of Deir Al Balah, died due to stab wounds to the neck by a sharp object. The accident occurred following a fight between him and other people in a taxi as they were commuting from the central district to Gaza. The police opened an investigation and arrested suspects for questioning.

### *Deaths Due to Security Chaos and Misuse of Arms*

During the reporting period, **ICHR** documented three deaths as a result of misuse of arms; two cases in the Gaza Strip and one in the West Bank as detailed below:

- On 2/5/2010, 18 year-old **Ibrahim Suleiman Al Malayha** from Khan Younis died due to wounds sustained by shrapnel of a home-made bomb. According to **ICHR's** information, during a training of one of the resistance factions, a bomb fell on the family house of the deceased in the Al Muhararat area, West of Khan Younis. The police arrived on the scene and opened an investigation into the accident.
- On 5/5/2010, **Batoul Hussein Klob**, a 7 year old female child from Jabalya camp died due injuries she sustained in the abdomen. According to **ICHR** information, the child received three bullets while playing, along with her nine-year old brother, with their older brother's weapon. The latter is affiliated to one of the Palestinian resistance movements. The police arrived to the scene and opened an investigation into the accident
- On 1/5/2010, **Rami Sa'd Al Absi**, 16 years old, from Hebron city died due to a gunshot while he was with his father in a car. According to **ICHR** information, members of the National Security shot at their at the "Farsh Al Hawa checkpoint on the northern entrance of the city, causing the injury of the young man who was transferred to Al Ahli hospital where he passed away.

**ICHR** issued a press release about the accident on 2/5/2010.

### *Deaths in Suspicious Circumstances*

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

- On 8/5/2010, the body of **Jihad Salman Ghneim**, an 18 year old resident of Al-Nseirat city, was found in one of the apartments in Al-Nseirat. The body was transferred to Shuhada' al-Aqsa Hospital in Deir al-Balah while the cause of death turned out to be a severe deterioration in the blood circulation. The police opened an investigation into the incident and arrested the owner of the apartment for questioning.

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

During the reporting period, **4** cases of death occurred in the West Bank as a result of failure to adopt public safety precautions as described below.

- On 12/5/2010, **Mohammed Walid abu Taha**, a 28 year old resident of Rafah City died due to burns sustained while filling a lantern with petrol which resulted in breaking out of a fire in the family house. The Civil Defense arrived to the scene and put out the fire while the police opened an investigation into the accident.
- On 13/5/2010, **Mahmoud Walid Abu Taha**, died due to burns he sustained on the 12/05/2010 as a fire erupted in the family house while he was filling a lantern in the house. According to ICHR information, the deceased passed away at the Abu Yousef al-Najjar Hospital in Rafah. The police opened an investigation into the accident.
- On 16/5/2010, **Mohammed Sa'du Mishal**, 24 years old, from Rafah city died due to injuries he sustained on 8/5/2010. According to ICHR information, the accident occurred while the deceased was welding a gas tank in a temporary gas station which caused an explosion and he was seriously injured. He was transferred to the Abu Yousef al-Najjar Hospital in Rafah then to the Shifa' hospital in Gaza city where he passed away. The police arrived to the scene, shut down the station, arrested the owner and opened an investigation into the accident.
- On 31/5/2010, the body of **Khaled Walif Amer** was found dumped near by the beach in Khan Younis. According to ICHR information, drowning was the cause of death.
- On 22/5/2010, **Shahd Ata Odeh**, a 3 year old child from the Dheisheh refugee camp in southern Bethlehem suffocated to death in a washbasin at the family house. According to ICHR information, the child fell into the washing machine while it was running.

### ***Tunnel- Related Deaths***

ICHR documented **9** cases of tunnel-related deaths resulting from suffocations that took place in the tunnels along the Egyptian-Palestinian borders due to tunnels' collapse or electrical wiring.

### ***Death Sentences in the Gaza Strip***

On 18/5/2010, the Ministry of Interior of the Deposed Government executed three death sentences against the following citizens:

- Gaza Military Court issued a death sentence against (A.S.J), 41 years old, from Gaza City on 10/3/2010, following his conviction of first degree murder.
- The Court of First Instance in Gaza issued a death sentence against (M.H.Sh), 35 years old from Gaza City on 20/3/1996, following his conviction of first degree murder.
- The Court of First Instance in Gaza issued a death sentence against (R.S.J), 29 years from Gaza city on 14/4/2004 following his conviction of kidnap, rape and first degree murder.

In this regard, ICHR issued a statement condemning the execution of the death sentences against the above-mentioned citizens, as it violates the fundamental right to life and the right to a fair trial, as well as the Penal Procedural Code, since these sentences were executed without being ratified by the President of the Palestinian National Authority.

### ***Injury Due to Security Chaos, Misuse of Arms and Internal Explosions***

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 5/5/2010, (W.F.D.), a 14 year old child, sustained injury due to gunshots in the abdomen and chest. According to ICHR information, the deceased was injured while tampering with his brother's weapon who is affiliated to one of the Palestinian resistance movements. The police arrived to the scene and opened an investigation into the accident.
- On 6/5/2010, Qusai Mahmoud D'eibes, 12 months old, and his father Mahmoud Mohammed D'eibes, 25 years were injured by shrapnel of a home-made bomb. Both sustained injuries to the face and shoulder. According to ICHR information, the injury took place while they were attending a wedding party for their family in the Canada neighborhood to the west of Rafah. They were transferred to the European Hospital in Khan Younis. The police arrived on the scene and opened an investigation into the accident.
- On 15/5/2010, Hasan Saleh Abu Zaid, 33 years old, was injured due to three gunshots to the feet while his brother Basel, 23 years, sustained injuries in the head due to shrapnel. They were shot at while standing nearby their residence. It is worthy to that Abu Zaid used to work for the Preventive Security agency. According to ICHR information, three armed and masked individuals in a jeep fired gun shots in the direction of the citizens in an attempt to abduct Abu Zaid nearby his house. His brother was injured when he tried to intervene to save him. They were both transferred to the Shifa hospital in Gaza city. The police arrived to the scene and opened an investigation into the accident. Members of the Internal Security agency also opened an investigation into the accident.
- On 21/5/2010, Hafeth and Khaled Mohammed Abu al-Haseen, 35 and 26 years, from Jabalya camp sustained injuries from an explosion nearby their house. According to ICHR information, they were transferred to Al Awda Hospital in the city, but due to their critical condition, they were transferred to the Shifa hospital in Gaza city. The police arrived to the scene, opened an investigation into the accident and arrested a number of suspects for questioning.
- On 22/5/2010, Ismail Mohammed Abu Amer, 19 years old, from Abasan city sustained a bullet to his back. He was transferred to the European Hospital in Khan Younis in a serious condition. According to ICHR information, the injury took place once the police arrived to the scene to break a domestic fight using their fire arms and resulting with the injury of the citizen. According to the police, the injury was a mistake and they opened an investigation into the accident. The police officer suspect was arrested for questioning.
- On 28/5/2010, two children, Mohammad and Dina Imad Wishah, 16 and 11 years from Jabalya, sustained injuries in various parts of their bodies due to shrapnel of an explosion of a suspicious object inside the family's house. According to ICHR information, the police arrived to the scene and opened an investigation into the accident.

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

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

In May, **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* Authority in the Gaza Strip.

In the **West Bank**, **ICHR** received **13** complaints by citizens claiming to have been tortured in the month of May. These complaints were against the following agencies:

- 2 complaints against the police service (1 against criminal investigation, 1 against the Drug Control Department)
- 6 complaints against the General Intelligence
- 5 complaints against the Preventive Security agency

In this regard, it's worthy to mention that claims of torture take the form of shackling, severe beating, punching, in addition to psychological torture and ill treatment.

In the Gaza Strip, **12** similar complaints were filed to **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 shackling for long hours, beating on feet, cuffing hands to the back and hanging the body by a hook from a high window, blindfolding for long hours, in addition to beating with batons and leather sticks, kicking by feet various parts of the body as well as ill treatment.

**2. Violations of the Right to Proper Legal Process** - 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 the West Bank and the Gaza Strip, as **ICHR** received several complaints of citizens who claimed they were arrested arbitrarily and confined to detention centers.

In this regard **ICHR** received **300** complaints in the West Bank during the month of May, including **175** against security agencies, **129** of which focused on claims of the invalidity of procedures following the detention, as the arrest was either arbitrary or based on political grounds.

As for the Gaza Strip, **ICHR** received **74** complaints during the month of May, including **40** 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 arrests based on political grounds.

**3. Attacks on Freedom of Peaceful Assembly and Freedom of Press**

The following violations occurred during this reporting period:

- On 23/5/2010, the Police in the Gaza Strip prevented the General Union for Palestinian Women from commemorating the Nakba, organized by the National Committee of the

National Works Commission. According to a statement by one member of the union to ICHR, the National Committee was notified the police earlier as required when organizing such events. However, only 10 minutes before the opening ceremony, they were surprised by the police at the venue asking them to call off the ceremony even with the attendance of 900 people. The police forcibly ended the gathering.

- On 24/5/2010, the Internal Security agency in the Gaza Strip prevented ICHR from organizing for a workshop that was supposed to be held in cooperation with the National Campaign for Defending Freedoms on the status of rights and freedoms. The reservation manager of Grand Palace hotel informed ICHR that two members of the Internal Security Service arrived to the hotel an hour before the workshop telling him that they were not allowed to hold the sessions. Later in the day, the ICHR program manager in Gaza received a call from a member of the Internal Security agency notifying him not to hold the workshop without giving any justifications. ICHR, along with many other human rights organizations, issued statements condemning the decision.
- On 24/5/2010, the police of the Ministry of Interior of the Deposed government prevented PNGO and human rights organizations in the Strip from organizing a peaceful sit-in to condemn the attack on UNRWA summer camps on 23/5/2010. According to a statement of PNGO coordinator to ICHR, he received a phone call from the Police on the morning of the day when the sit-in was scheduled to notify him that the sit-in is not allowed to take place even though PNGO did notify the police about the event earlier. Members of the police arrived to the sit-in area and dispersed the people. PNGO as well as other human rights organizations condemned the banning of the workshop.
- On 31/5/2010, the Internal Security of the Deposed government in the Gaza Strip informed the chief of the Democratic Front for the Liberation of Palestine in the northern Gaza Strip of the ban of any activity affiliated to the National Work Commission. According to the chief's statement to ICHR, he received this decision by a text message to his cell phone which was sent from the personal cell phone of the Head of the Internal Security agency in northern Gaza and added in the text "to be delivered to all". No reasons were given in this regard.
- On 18/5/2010, the Security agencies in Halhul banned a lecture for the Liberation Party which was supposed to be held in one of the halls of the city. According to ICHR information, the security agencies closed the hall before the beginning of the lecture without giving any justifications.
- On 24/5/2010, the security agencies in Hebron banned a seminar for the Liberation Party that was supposed to take place at the hall of Adaw' al-Madina club. According to ICHR, the hall was closed down an hour before the seminar. Consequently, the seminar turned to a march then a sit-in that ended by detaining a number of supporters of the Liberation Party.
- On 6/5/2010, members of the General Intelligence in Hebron arrested journalist Samer Anwar Rushdi Rashid, correspondent to Sawt al-Aqsa Station. According to ICHR information, the journalist was detained without referring him to any competent judiciary and only because of his professions. His detention is a violation to the freedom of press and media in the Palestinian-controlled Territory.

### ***Attacks on Associations***

- On 31/5/2010, the Internal Security shut down the premise of Bunat al-Mustaqbal Charitable Society in Rafah. According to the chairman's statement to ICHR, members of

the internal security arrived to the premise in the morning and confiscated all belongings of the Society. Later that day, the keys were taken from the premise and the chairman was notified with the closing of the society without giving any reasons.

- On 31/5/2010, the Internal Security walked into the premise of Sharek Youth Forum in Gaza and searched the offices and confiscated its belongings before leaving with out giving any reasons.
- On 31/5/2010, the Internal Security agency shut down the Southern Society for Women's Health in Rafah. According to manager's statement to ICHR, the ISS confiscated the belongings of the society who was later informed of the closure without giving any reasons.
- On 31/5/2010, the Internal Security agency shut down the premises of the Women and Child Society in Rafah. According to the manager's statement to ICHR, the security agencies confiscated the society's belongings while later that day the manager was notified of the society's closure without giving any reasons.

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

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

- On 22/5/2010, there was an explosion in front of a sweet's shop in Beit Lahya owned by Baha' Gazal from Gaza city. The store was completely destroyed by a fire. According to ICHR information the police arrived to the scene and opened an investigation into the accident.
- On 27/5/2010, an explosion destroyed the fence of Sa'eed Ahmad Battah's house in Beit Lahya. It's worthy to mention that the owner of the house works for the police of the Deposed government. The police arrived to the scene and opened an investigation into the accident.
- On 23/5/2010, masked and armed individuals attacked summer camp of the UNRWA. According to ICHR information, the armed men broke into the camp at al-Sheikh Ijleen area in Gaza and set the area on fire, and handcuffed and blindfolded the guard. They then placed a note in his pocket which later turned out to be an envelope containing three bullets. UNRWA, human rights organization as well as the Ministry of Interior of the Deposed government issued statements condemning the assault.
- On 31/5/2010, unidentified persons burned a car owned by Imad Eddin Mohammed Abu Rahmeh, member of Public Front, from the Gaza Strip. The car was parked in front of his house at Tal al-Hawa neighborhood in Gaza. According to ICHR information, the Civil Defense arrived to the scene and put out the fire. The police arrived to the scene and opened an investigation into 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 court 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) which states that "judicial decisions are enforceable and any form of defaulting on their implementation is a crime punishable by imprisonment or dismissal from office ...".

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 on unenforced releases due to the illegality of arrest procedures which were issued during the month of May:**

No	Name	Place of Detention	Date of detention	Date of issuance of the verdict
1.	<b>Jebreel Mohammad Abd Al Rahman Najar</b>	The Preventive Security detention center –Hebron	<b>12/5/2010</b>	<b>24/5/2010</b>
2.	<b>Mos`ab Mostafa AL Hoor</b>	The preventive security detention center – al-Thahrieh	<b>15/9/2009</b>	<b>19/5/2010</b>
3.	<b>No`man Ahmad Esma`el Al Drabee`</b>	The preventive security detention center – Hebron	<b>25/1/2010</b>	<b>10/5/2010</b>
4.	<b>Ahmad Saiel `Isa</b>	Police Lockup – Bethlehem	<b>2010/5/17</b> <b>The first arrest was in the custody of the Magistrate’s Court-Bethlehem. A 500 JD bail was made</b> <b>The second arrest was made on 27/5/2010 by Bethlehem police in the custody of the governor and for the same case</b>	<b>23/5/2010</b>
5.	<b>Haitham Saiel Ahmad `Isa</b>	<b>Police Lockup – Bethlehem</b>	<b>17/5/2010</b> <b>The first arrest was in the custody of the Magistrate’s Court-Bethlehem. A 500 JD bail was made</b> <b>The second arrest was made on 27/5/2010 by Bethlehem police in the custody of the governor and for the same case</b>	<b>23/5/2010</b>



<b>6.</b>	<b>Marwan Saiel Ahmad `Isa</b>	<b>Police Lockup – Bethlehem</b>	<b>The first arrest was in the custody of the Magistrate’s Court- Bethlehem. A 500 JD bail was made The second arrest was made on 27/5/2010 by Bethlehem police in the custody of the governor and for the same case</b>	<b>23/5/2010</b>

**Second: Decisions on 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
<b>1.</b>	<b>Mohammad Ahmad Swkia</b>	General Intelligence detention center – Ramallah	<b>6/2/2008</b>	<b>10/1/2010</b>
<b>2.</b>	<b>Shareef Waleed ghanem</b>	Intelligence detention center – Ramallah	<b>2/9/2009</b>	<b>22/2/2010</b>
<b>3.</b>	<b>Ma`moun Ehsan Abd Allah Ashoor</b>	Preventive Security detention center- Nablus	<b>31/12/2009</b>	<b>10/2/2010 Sentenced to two years in prison by the Military Court -Nablus</b>
<b>4.</b>	<b>Shadi Mohammad Akram Mostafa Shaheen</b>	Preventive Security- al- Thahirieh	<b>14/1/2010</b>	<b>16/3/2010</b>

5.	<b>Mohanad Mahmoud Jameel Nayrookh</b>	General Intelligence detention center – Hebron	<b>10/10/2008</b>	<b>19/1/2010</b>
6.	<b>Dia` Al Deen Hamdan Ali Musleh</b>	General Intelligence detention center – Ramallah	<b>27/8/2009</b>	<b>2010/1/10 Brought before the military court and has a hearing on 13/4/2010</b>
7.	<b>Tareq Abd Al Razeq Dawod Zaid</b>	General Intelligence detention center – Nablus	<b>8/11/2009</b>	<b>Sentenced to a year and a half in prison by the military court on charges of opposing the authority's general policy</b>
8.	<b>Khaled Jameel Khaleel Al Seraj</b>	General Intelligence detention center – Ramallah	<b>Not mentioned in the complaint</b>	<b>Sentenced to a year and a half in prison by the military court on charges of opposing the authority's general policy</b>
9.	<b>Jodeh Mahmoud Daghra</b>	<b>Military Intelligence – Ramallah</b>	<b>Not mentioned in the complaint</b>	<b>2009/10/14 Sentenced to 12 years by the military court</b>
10.	<b>Ahmad Mohammad Yusri Rateb</b>	General Intelligence detention center – Hebron	<b>15/9/2009</b>	<b>3/2/2010</b>
11.	<b>Rami Nabeel Sobhe Dra mosa</b>	General Intelligence detention center – Ramallah	<b>12/2/2010</b>	<b>14/3/2020</b>

12.	<b>Awadallah Jameel Shtayeh</b>	General Intelligence Nablus	<b>12/2/2009</b>	<b>2010/3/28</b> <b>Sentenced to</b> <b>two years by</b> <b>the military</b> <b>court</b>
13.	<b>Majd Maher Rebhe `Baid</b>	General Intelligence prison Jericho	<b>11/10/2010</b>	<b>3/2/2010</b>
14.	<b>Wisam Azam Abd Al Mohsen Qwasmeh</b>	General Intelligence detention center – Hebron	<b>8/10/2008</b>	<b>19/1/2010</b>
15.	<b>Hani S`eed `Isa Asi</b>	<b>Military intelligence- Ramallah</b>	<b>24/2/2010</b>	<b>17/3/2010</b>
16.	<b>Wajdi Anwar sa`eed Fradneh</b>	<b>Military intelligence- Ramallah</b>	<b>24/8/2009</b>	<b>14/3/2010</b>
17.	<b>Loai Fawaz Talb Abed</b>	<b>Internal Security detention center- Hebron</b>	<b>12/1/2010</b>	<b>14/3/2010</b>
18.	<b>Sa`ed Abd Al Rahman Abd Al Fatah Al `Wawdah</b>	<b>Internal Security detention center- Hebron</b>	<b>12/1/2010</b>	<b>2010/4/18</b> <b>By the court of</b> <b>First Instance</b> <b>in Hebron and</b> <b>the bail was</b> <b>made</b>
19.	<b>Ali Mahmoud Mohamad Rashid</b>	<b>Internal Security detention center- Hebron</b>	<b>13/1/2010</b>	<b>2010/4/19</b> <b>By the court of</b> <b>First Instance</b> <b>in Hebron and</b> <b>the bail was</b> <b>made</b>

20.	<b>Ahmad Isma`el Abd AL Rahman ghnimat</b>	<b>Internal Security detention center-Hebron</b>	<b>25/1/2010</b>	<b>4/4/2010 By the court of First Instance in Hebron and the bail was made</b>
21.	<b>Hasan Mostafa Zagha</b>	<b>Military Intelligence-Nablus</b>	<b>14/2/2010</b>	<b>2010/4/12 Supreme Court of Justice</b>
22.	<b>Khaled Rohi Sousa</b>	<b>Preventive Security Nablus</b>	<b>2/11/2010</b>	<b>22/4/2010</b>
23.	<b>Majed Mohammad Yousef AL Awawdeh</b>	<b>Internal Security detention center- al-Thahriyah</b>	<b>11/1/2010</b>	<b>22/4/2010</b>
24.	<b>Jamal Hasan Husein Al Awawdeh</b>	<b>Internal Security detention center- al-Thahriyah</b>	<b>13/1/2010</b>	<b>5/4/2010</b>
25.	<b>Murad Mohammad `Isa AL Herbawi</b>	<b>Internal Security detention center- al-Thahriyah</b>	<b>21/1/2010</b>	<b>31/3/2010</b>
26.	<b>Abd AL Majeed Eshaq Mahareeq</b>	<b>Internal Security detention center-Hebron</b>	<b>12/1/2010</b>	<b>21/4/2010</b>

In addition to the above-mentioned rulings, a number of administrative-related rulings were issued during the past months, however, the Executive Authority failed to enforce them as detailed below:

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 the current month.

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 2/5/2010, the General Intelligence agency in Ramallah rejected an application for a passport book for former member of the National Security, Khaled Mohammed Louz, 35 years. According to the citizen's affidavit to ICHR, he applied through one of the services offices and was notified of the rejection for security reasons without any clarifications.
- On 15/5/2010, the Internal Security agency stationed at the Rafah border crossing prevented Mahran Samir al-Mjabber, an 82 year old man from Beit Lahya affiliated to the former General Intelligence and a secretary of the Fatah Youth Movement from travel. According to the citizen's affidavit to ICHR, members of the Security agency arrived to the departure hall at the crossing and took him to a dark room, returned his passport and suitcase and told him he was not allowed to travel and transferred him with their cars outside the crossing.
- On 25/5/2010, the General Intelligence agency in Ramallah rejected an application for a passport book for a member of the Police of the Deposed Government, Ibrahim Abdul Rahman Sihweil

from Beit Hanoun. According to the citizen's affidavit to ICHR, he applied through one of the services offices and was notified of the rejection for security reasons without receiving any clarifications.

## **7. Dismissal from Civil Service**

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 May 2010, **11** more complaints were filed to ICHR thus increasing the total number of teachers' dismissal or suspension complaints filed to **ICHR** over the past months to **425**. The aggrieved 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.