



**Monthly Report on  
Violations of Human Rights and Freedoms in Palestine  
July 2016**

In July 2016, domestic violations continued at a varying pace. This Monthly Summary Report highlights major human rights violations as monitored and documented by the Independent Commission for Human Rights (ICHR). Based on documentation of encroachments on human rights and public freedoms during the month of July 2016, the ICHR monitored the following violations:

**Domestic human rights violations**

Violation	June 2016	July 2016	West Bank	Gaza Strip
Incidents of unnatural death	12	21	11	10
Complaints against torture and ill-treatment	19	36	12	24
Violation of the right to the due process of law	35	36	26	10
Governor-ordered detentions	5	10	10	—
Attacks on public institutions, public and private properties, and persons	2	3	3	—
Unenforced or delayed enforcement of court decisions	5	1	—	1

- Compared to **12** cases reported in June 2016, the ICHR monitored **21** incidents of unnatural death during the month of July 2016.
- In contrast with **19** complaints in June 2016, the ICHR received **36** complaints against torture and ill-treatment in July 2016.
- Whilst **35** complaints were filed in June 2016, the ICHR received **36** complaints on violations of the right to the due process of law and detention without fair trial.
- The ICHR received **10** complaints against governor-ordered detentions in the West Bank. **Five** complaints were lodged in June 2016.
- Compared to **five** incidents in June 2016, the ICHR received **six** complaints against

unenforced or delayed enforcement of court decisions.

- While **two** incidents were documented in June 2016, **three** attacks on public institutions in the West Bank were reported to the ICHR in July 2016.

## **A detailed description of violations:**

### **I. Violations of the right to life and physical safety**

During the month of July 2016, the ICHR documented **21** death incidents, including **11** in the West Bank and **10** in the Gaza Strip. Of these, **four** citizens died in mysterious circumstances, including two in the West Bank and two in Gaza. **Four** citizens died in family feuds and manslaughters. These included three deaths in the West Bank and one death in Gaza. **12** citizens, including six in Gaza and six in the West Bank, died as a result of failure to implement public safety measures. **One** citizen died as a result of the abuse of firearms. Below is a detailed account of death incidents:

#### **1. Deaths in mysterious circumstances**

- On 2 July 2016, the dead body of 68-year-old M. S. was located in the Jabal Hamad area south of the Faquq'a town, Jenin governorate. The Police arrived at the scene and the Public Prosecution launched an investigation into the incident. It is worth noting that M. S. was mentally challenged.
- On 16 July 2016, the dead body of A. A., a 22-year-old mentally challenged resident of the Jamma'in village, Salfit governorate, was located. A local farmer found the dead body of A. A. in a mountainous area in the vicinity of the Deir Istiya town. A. A. had been missing for almost a month and did not return to his home. After the Police arrived at the scene, it appeared that the corpse was completely decayed (i.e. reduced to a skeleton).
- On 19 July 2016, the dead body of M. Sh., an 80-year-old woman, was located in her home in the Al Juneina neighbourhood of the Rafah city. A scarf was on her neck, suggesting that it had been used to strangle M. Sh. According to information provided to the ICHR, the dead body was transported to the Abu Yousef al Najjar Hospital in the Rafah city. The Police arrived at the scene and opened an investigation into the incident. A suspect was arrested for further investigation.
- On 20 July 2016, the dead body of M. S., 22 years old, was located in front of his house in the Al Tuffah neighbourhood of the Gaza city. Marks of strangulation were visible on his neck. According to information provided to the ICHR, M. S. was transported to the Al Shifa' Hospital in the Gaza city, where he was

announced dead. The Police arrived at the scene and launched an investigation into the incident. A number of suspects were arrested for further investigation.

## **2. Deaths in family feuds, disputes and manslaughter**

- On 8 July 2016, M. B., a 20-year-old resident of the Jaba' village, Jenin governorate, was stabbed with a sharp instrument and sustained critical wounds during a fight in the Al Badhan village, Nablus governorate. According to information provided to the ICHR, M. B. died on his way to hospital. The Police arrived at the scene and launched an investigation into the incident.
- On 8 July 2016, W. D., a 35-year-old resident of the Al Sabrah neighbourhood of the Gaza city, died of a bullet wound in the stomach in an armed family feud. According to information provided to the ICHR, the dead body was transported to the Al Shifa' Hospital in the Gaza city. The Police arrived at the scene and launched an investigation into the incident. A number of suspects were arrested for further investigation.
- On 13 July 2016, S. D., a 34-year-old resident of the Tubas city, died of serious wounds after he had been hit with a sharp object on the head inside his sweets shop in the city. According to information provided to the ICHR, the accused person hit the victim with a stick three times on the head. Having also strangled him, the accused put the dead body of S. D. in a box, transported it to a cemetery, poured paint thinner and burned it down. The Police arrested the killer on the next day.
- On 28 July 2016, A. A., an 18-year-old resident of the Deir Dibwan town, Ramallah governorate, died of a bullet wound in the chest. A. A. was killed in a family fight, during which firearms and sharp instruments were used. According to information provided to the ICHR, A. A. sustained a bullet wound in the right armpit. He was transported to the Ramallah Medical Complex, where he died. The Police arrived at the scene and opened an investigation into the incident.

## **3. Deaths resulting from failure to implement public safety measures**

- On 8 July 2016, D. Sh., a two-year-old girl from the Al Barazil neighbourhood of the Rafah city, died of critical wounds sustained after she had fallen from the kitchen balcony on the third floor of her family home. According to information provided to the ICHR, the girl was transported to hospital. The Police arrived at the scene and started an investigation into the incident.

- On 13 July 2016, S. A., a 30-year-old female resident of the Beit Ummar town, Hebron governorate, fell while she was cleaning window glass on the second floor of her house. According to information provided to the ICHR, S. A. died and was transported to hospital. The Police arrived at the scene and launched an investigation into the incident.
- On 14 July 2016, a forklift fell over and killed J. Q., a 10-year-old girl from the Hebron city, in the Hebron industrial park. According to information provided to the ICHR, the girl was transported to hospital. The Police arrived at the scene and opened an investigation into the incident.
- On 14 July 2016, Q. R., an 8-year-old boy from the Jabalya town, Northern Gaza governorate, died of critical wounds sustained after he had fallen from the balcony on the second floor of his family home. The boy was transported to the Indonesian Hospital. The Police arrived at the scene and started an investigation into the incident.
- On 15 July 2016, W. F., a 45-year-old female resident of the Al Salam neighbourhood of the Rafah city, died of an electric shock caused by an electrical fault in her washing machine. According to information provided to the ICHR, W. F. was transported to hospital. The Police arrived at the scene and launched an investigation into the incident.
- On 20 July 2016, sisters R. S. and A. S., 8 and 5 years old respectively, died after the balcony they were on collapsed and landed on another smaller balcony. Another five members of the same family sustained light to medium injuries in the accident. According to investigations, the balcony was annexed to an existing structure. Having inserted iron bars into the building, the balcony was constructed as an annex. The balcony was not supported by columns. The Police arrived at the scene and launched an investigation into the incident.
- On 21 July 2016, R. Kh., a 24-year-old resident of the Sinjil town, Ramallah and El Bireh governorate, was critically wounded after he had fallen from a building under construction in the Jilijliya town in the governorate. According to information provided to the ICHR, R. Kh. was transported to hospital, where he died. The Police arrived at the scene and opened an investigation into the incident.
- On 21 July 2016, D. S., a 12-year-old boy from the Al Qarara neighbourhood of the Khan Yunis city, died after he had fallen from the balcony on the first floor of his family home. According to information provided to the ICHR, the boy was transported to the Nasser Hospital in the city. The Police arrived at the scene and launched an investigation into the incident.
- On 22 July 2016, a car fell over and killed A. S., a 51-year-old resident of the Khan Yunis city. While he was repairing it inside his forge under his house, the car fell on A. S., leaving him with serious wounds. According to information provided

to the ICHR, A. S. was transported to the Nasser Hospital in the city, where he died. The Police arrived at the scene and launched an investigation into the incident.

- On 23 July 2016, S. Kh., an 8-year-old boy from the Arura town in the Ramallah and El Bireh governorate, drowned in a swimming pool. According to information provided to the ICHR, the Police arrived at the scene and opened an investigation into the incident. Two persons were detained for further investigation.
- On 31 July 2016, Q. A., a 7-year-old boy from the Khirbet al Adas area in the Rafah city, died of suffocation. A rope was wrapped around the boy's neck while he was playing at his family home on 24 July 2016. Q. A. was transported to the Abu Yousef al Najjar Hospital in Rafah. The Police arrived at the scene and launched an investigation into the incident.

#### **4. Casualties resulting from the abuse of arms**

- On 8 July 2016, A. M., a 24-year-old resident of the Al Zahra city, Gaza Strip, died of wounds sustained by a bullet fired by mistake. While they were together, a bullet was shot as A. M.'s friend A. A. was playing with his pistol. According to information provided to the ICHR, the Police arrived at the scene and launched an investigation into the incident. A suspect was arrested for further investigation.
- On 13 July 2016, a person opened machinegun fire on S. A., a 25-year-old resident of the Saudi neighbourhood of the Rafah city, while he was in front of his house. S. A. sustained two bullet wounds and died. The Police arrived at the scene and opened an investigation into the incident, which was believed to have been committed on grounds of revenge. A suspect was arrested for further investigation.
- On 17 July 2016, on grounds of a spousal dispute, a citizen opened machinegun fire outside the Sheik Redwan courthouse in the Gaza city, leaving three citizens with medium injuries. All residents of the Rafah city, injured citizens were J. H., S. J, and J. N., 24 and 25 years old respectively.

#### **5. Death sentences**

- On 19 July 2016, the High Military Court in Gaza dismissed a petition to reconsider a death sentence rendered by the Standing Military Court against N. A., a 37-year-old resident and National Security officer from the Gaza city. On 24 August 2015, the Standing Military Court sentenced to N. A. to death by firing squad. Charged with collaboration with the Israeli occupying authorities, the death sentence was referenced by Article 131 of the Palestinian Revolutionary Penal

Law. The court decision was endorsed by the High Military Court on 18 April 2016.

- On 19 July 2016, the Gaza-based High Military Court endorsed a death sentence entered by the Standing Military Court on 19 October 2015 against 49-year-old R. A. from the Khan Yunis city. Charged with collaboration with the Israeli occupying authorities, the death sentence was referenced by Article 131 of the Palestinian Revolutionary Penal Law.
- On 19 July 2016, the Standing Military Court in Gaza sentenced to death M. Sh., a 59-year-old resident of the Gaza city. Charged with collaboration with the Israeli occupying authorities, the sentence was referenced by Article 131 of the Palestinian Revolutionary Penal Law.

## 6. Torture in detention – Cruel and degrading treatment

During the reporting period, the ICHR received **36** complaints on torture and ill-treatment, including **12** in the West Bank and **24** in the Gaza Strip. In the West Bank, **six** complaints were filed against the Police, **four** against the Preventive Security, and **two** against the General Intelligence. In Gaza, **22** complaints were lodged against the Police and **two** against the Internal Security agency.

**II. Violation of the right to the due process of law**, including arbitrary detention, arrest on political grounds, and governor-ordered detention.

**Arbitrary and political detention:** During the reporting period, in the West Bank, the ICHR received **26 complaints** against invalid detention procedures, including arbitrary and political detention. In the Gaza Strip, **10 complaints** were filed on similar violations.

In July 2016, **10** citizens were detained by orders from governors. None of these has been released until the time of reporting.

### A list of persons detained by orders from governors

#	Name	Detention date	Place of detention	Detained by
1	A. Gh.	29/6/2016	Preventive Security, Jericho	Nablus governor
2	A. F.	10/7/2016	Preventive Security, Jericho	Nablus governor
3	F. J.	5/7/2016	General Investigations, Jenin	Jenin governor
4	M. W.	5/7/2016	Jenin prison	Jenin governor

5	S. M.	18/7/2016	Ramallah and El Bireh Police	Ramallah and El Bireh governor
6	Sh. S.	18/7/2016	Ramallah and El Bireh Police	Ramallah and El Bireh governor
7	S. T.	7/7/2016	General Intelligence, Jericho	Nablus governor
8	A. K.	14/7/2016	Preventive Security, Jericho	Jenin governor
9	Kh. A.	1/7/2016	General Intelligence, Jericho	Nablus governor
10	M. H.	2/7/2016	General Intelligence, Jericho	Nablus governor

### **III. Attacks on public institutions, public and private properties, and persons**

- On 15 July 2016, a citizen attacked M. W., a physician from the Beit Ummar town, Hebron governorate. As he was not an ophthalmologist, M. W. refused to issue a medical report, including a detailed description of the citizen’s eyes. However, the citizen attacked the physician in his own clinic. The Police arrived at the scene and detained the assailant.
- At 2:00 am on 24 July 2016, unidentified individuals opened fire on a vehicle and house belonging to M. N. in the Jenin city. No casualties were reported. A Police force arrived at the scene and launched an investigation into the incident. Investigation is still underway. It is worth noting that the victim is a Preventive Security officer (Director of the Interrogation Department in the Nablus city). This was the second time M. N. was attacked. The first attack was committed three years ago, but culprits have never been arrested.
- At 2:30 am on 24 July 2017, a group of masked individuals in a black car without registration number plates opened intensive fire on a house and car belonging to M. D. in the Askar al Balad area. The attack caused damage to the car. M. D. reported the incident to the Police immediately. A Police force arrived at the scene and launched an investigation into the incident. The victim was in the process of forming an independent list of young candidates to run for the Nablus Municipality elections.

### **IV. Encroachments on the freedoms of opinion and expression, the press, and peaceful assembly**

On 26 July 2016, the Preventive Security agency detained M. Kh., a correspondent of the Anadolu Agency, and confiscated his personal equipment, papers, and document. M. Kh. was interrogated about publishing posts on Facebook, including financial statements of

the Palestinian News and Information Agency (WAFA) budget. M. Kh. was released several hours later.

## **V. Unwarranted confiscation of private properties**

- On 11 July 2016, the Preventive Security agency in Hebron detained M. S. J. on political grounds, and confiscated NIS 4,000 and cheques in the amount of NIS 3,000. The Preventive Security released M. S. J. on 19 July, but did not give back the amounts seized from him.
- On 25 July 2016, A. Q. filed a complaint to the ICHR, stating that General Intelligence personnel confiscated his son's laptop on 5 July 2016. Although he reported to the agency on several occasions, the laptop has not been restored.
- On 27 June 2016, the Preventive Security agency detained M. Sh., a 29-year-old resident of the Hebron city, until 5 July 2016. In a complaint he filed to the ICHR on 27 July, M. Sh. stated that NIS 10,500 was confiscated from him and that has not restored the amount. It is worth noting that M. Sh. was brought before the Hebron Court of Conciliation on charges of money laundering, but was duly absolved.
- On 27 July 2016, A. R. filed a complaint to the ICHR, stating that on 9 June 2016 the General Intelligence agency in Hebron confiscated a laptop, iPad and battery charger, digital camera, NIS 12,800 and JD 300, official papers, records, and several books from his house. According to the complainant, the confiscation was invoked by political reasons. A. R. had been imprisoned on political grounds by security agencies.

## **VI. Delayed and stalled enforcement of court decisions**

During the reporting period, the ICHR received **six** complaints against unenforced court decisions. These were as follows:

- On 5 July 2016, the Criminal Investigations Department detained F. J., a resident of the Jenin city. On 11 July, F. J. was brought before the Jenin Court of Conciliation, which decided to release him on bail. Although the bail was timely paid, the Criminal Investigations Department has not enforced the court decision.
- On 5 July 2016, the Police detained M. W., a resident of the Jenin city. On 12 July, M. W. was taken before the Jenin Court of Conciliation, which entered a decision for his release him on bail. Although the bail was timely paid, the Police has not enforced the court decision.



- On 11 July 2016, the ICHR received a complaint from A. Sh., a 23-year-old resident of the Rafah city who was detained in the Rafah Police holding cell. According to A. Sh., the Police has not enforced the Rafah Court of Conciliation decision of 20 June 2016 and the Khan Yunis Court of First Instance decision of 4 July 2016. Both decisions ruled for the release of A. Sh. on bail until trial.
- On 12 July 2016, the ICHR received a complaint from A. H., a 30-year-old resident of the Rafah city who was detained in the Al Shuja'iyah Police holding cell. According to A. H., the Police has not enforced the Khan Yunis Court of First Instance decision of 3 July 2016, which ruled for his release on bail until trial.
- On 21 July 2016, the Preventive Security agency in Hebron arrested M. Q., 24 years old, at the Hebron Court of First Instance. Without presenting a duly issued arrest warrant by the Public Prosecution, M. Q. was arrested on political grounds. On 27 July, M. Q. was taken before the Hebron Court of Conciliation, which ruled for his release on bail. Despite the fact that bail was timely paid, the Preventive Security has continued to detain M. Q. On 28 July, he was brought before the Hebron Court of Conciliation, which rendered a decision absolving him of charges. On 31 July, M. Q.'s father reported to the Public Prosecution in Hebron city, but he was told that his son had been detained by an order from the governor. On the same day, M. Q. was scheduled to be presented to the Public Prosecution on grounds of new charges.
- On 26 June 2016, the Preventive Security agency in Hebron detained Y. A., a 24-year-old resident of the Hebron city. On 29 June, Y. A. was brought before the Halhul Court of Conciliation, which decided to release him on bail. Even though the bail was timely paid, the Preventive Security has not enforced the court decision.

**In addition, 11 court decisions rendered over the past months and years have not so far been enforced.**

## **VI. Stipulation of security vetting for employment in the civil service**

- In June 2016, based on a public announcement, Y. H, a 50-year-old resident of the Bethlehem city, applied for the Ministry of Waqf and Religious Affairs for the post of an imam at the Al Khulafa' al Rashidin Mosque in the Doha town. Y. H. stated that he passed the examination, had an interview, and ranked first in all applicants. Having reported to the Ministry, the employee in charge told Y. H. that competent authorities (i.e. security agencies) had not approved his

- application. According to Y. H., he was dismissed from the Ministry of Education in 2010 for the same reason.
- On 17 July 2016, the ICHR noted that applicants for the positions of family court judges were required to meet a number of conditions. Of these applicants were required to submit certificates of no conviction and certificates of good conduct from the Ministry of Interior. Accordingly, the ICHR sent a letter to the Chief Justice Mahmoud al Habbash, making clear its position towards, and expressing its reservation of, the stipulation of presenting certificate of good conduct. To issue such a certificate, the Ministry contacts security agencies to endorse applications.

## **VIII. ICHR monitoring of human rights violations resulting from public policies and legislative process**

### **A. The Council of Ministers**

- On 26 July 2016, the Council of Ministers decided to refer the Financial and Administrative Regulation on the Palestinian Foundation for Agricultural Lending to ministers for consideration and comments. Relevant legal procedures would be taken in an upcoming session. The Regulation provides for supporting the agriculture sector in line with the government plan to encourage establishment of agricultural enterprises, manufacturing of agricultural products, provision of agricultural inputs, and marketing of the Palestinian agricultural produce.
- On 19 July 2016, the Council of Ministers approved the Regulation on the Honoraria and Financial Entitlements of Members of the Boards in which, or in the Management of which, the Government Contributes with a view to regulating honoraria and financial entitlements of board members, rationalising expenditures, and preserving public funds. The Council of Ministers also approved the Draft Regulation Amending the Regulation No. 1 of 2010 on the Ownership of Licenses for Operating Registration Numbers of Public Vehicles.
- On 19 July 2016, the Council of Ministers decided to refer the Draft Law on the Territorial Waters and Other Marine Areas of the State of Palestine, Draft Law Amending the Public Electricity Law by Decree No. 13 of 2009, and Draft Financial and Accounting Regulation of the Water Sector Regulatory Council to ministers for consideration and comments. Relevant legal procedures would be taken in an upcoming session.
- On 12 July 2016, the Council of Ministers decided to refer the Draft Bylaw Amending the Bylaw on the Nature of Work of the Legal Staff subject to the Law of Civil Service No. 5 of 2008 and Draft Law on the Municipality Lending and

Development Fund to ministers for consideration and comments. Relevant legal actions would be taken in an upcoming session.

**Ends**