

**MONITORING AND DOCUMENTATION DEPARTMENT**  
**JULY - SEPTEMBER 2009**  
**FIELD REPORT**

**Introduction**

This is the third quarterly field report of 2009 by Al-Haq's Monitoring and Documentation Department (MDD), covering the period from July to September 2009. Al-Haq's field reports cover human rights abuses and violations of international humanitarian law committed by Israel, the Occupying Power in the Occupied Palestinian Territory (OPT), namely the West Bank, including East Jerusalem, and the Gaza Strip. The report also covers human rights abuses committed by the Palestinian National Authority (PNA) in the West Bank and those committed by the *de facto* Hamas authority in the Gaza Strip.

Since 1967, Israel has occupied the OPT, despite numerous binding United Nations Security Council resolutions ordering it to withdraw. Consequently, Al-Haq's monitoring and documentation activities have traditionally been directed towards the violations committed by Israel, the Occupying Power. However, following the creation of the PNA in 1994 and the establishment of Hamas' *de facto* authority over the Gaza Strip in June 2007, Al-Haq also monitors and documents violations perpetrated by the PNA and Hamas' Executive Forces (EF). To the extent that the PNA and Hamas exercise some control over parts of the OPT, they are responsible for enforcing law and order through effective and lawful measures.

Each field report highlights a particularly important and disturbing trend observed by the MDD during the reporting period. The field reports are based on first-hand information gathered by Al-Haq's trained field workers. The field workers visit sites of alleged violations; they draw maps, draft reports and take sworn statements (affidavits) from victims and eyewitnesses. The information they collect comprehensively covers a broad range of violations, including, but not limited to, killings, house demolitions and imposed curfews. The affidavits excerpted or referenced in the field reports are available on Al-Haq's web site (<http://www.alhaq.org/>), as samples of those gathered during the reporting period.

**The Human Rights Situation since the Outbreak of the Second *Intifada***

The violations committed during this reporting period must be analysed within the broader context of the deteriorating human rights situation, which became more prominent with the outbreak of the second *Intifada* on 29 September 2000 and which continues with Israel's persistent failure to adhere to its obligations under international human rights and humanitarian law in the OPT. The situation has become especially bleak in the Gaza Strip, where Israel has, since 2006, imposed a continuing blockade on the Hamas-ruled territory, and in December 2008, launched a devastating 22-day military offensive called "Operation Cast Lead" in which over 1400 Palestinians were killed, of which 1172 were civilians. Al-Haq's lack of presence in Gaza Strip before June 2007 has resulted in an inability to compile comprehensive statistical information dating back to the start of the second *Intifada*, similar to that obtained for the West Bank. However, Al-Haq has been able to thoroughly document the effects of "Operation Cast Lead," and has produced a special report on the Operation, which is available on Al-Haq's web site.<sup>1</sup>

According to Al-Haq's documentation, from the outbreak of the second *Intifada* until the end of September 2009, **1,894** Palestinians were killed by Israeli Occupying forces in the West Bank, **369** of whom were children, and **103** of whom were female. It is estimated that **310** Palestinians were killed in targeted assassinations. During the same period, Al-Haq documented the demolition, for punitive reasons, of **573** houses<sup>2</sup> in the West Bank (of which **504** were totally demolished, **63** were partially demolished and **6** sealed off), leading to the forcible displacement of **3,351** Palestinians. Israel has also carried out a large number of administrative house demolitions, i.e. demolitions purportedly carried out because the houses were built without the required license. Since the beginning of 2004, **628** Palestinian houses in the West Bank have been administratively demolished, **307** of which were in East Jerusalem.

**The Human Rights Situation from July to September 2009**

*Highlighted Trend: Violations against Palestinian Children*

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<sup>1</sup> See <http://www.alhaq.org/pdfs/gaza-operation-cast-Lead-statistical-analysis%20.pdf>.

<sup>2</sup> The term home/house refers to each individual housing unit, accommodating a family, or in the case of an industrial or commercial building, to each industrial unit/commercial shop.

During this reporting period Al-Haq field workers documented numerous human right abuses by the Israeli Occupying Power against Palestinian children. Violations included arbitrary arrest and detention, restricted freedom of movement, and the subjection of children to beatings, ill treatment and **willful killing** by Israeli occupying forces.

In a particularly disturbing incident that occurred on 4 September 2009, Ghazi al-Za'anin, aged 13 years, was shot in the back of the head by Israeli soldiers as he was walking with his father, younger brothers and sisters and some friends to visit his father's land, located inside the Gaza Strip near the north eastern border with Israel. Without warning or reason the soldiers opened fire on the group. After the soldiers had

shot Ghazi they continued to use excessive force, firing at close range as the family drove to the hospital. As a result of the injuries he sustained, Ghazi died in hospital at 2:00 am the next morning. (See Al-Haq [Affidavit No. 5055/2009](#)).

'We rode the cart to the beach, stopped near the water, and sat on the cart. [...] I saw Sa'id walk northwards. He wandered around looking at the fish. I should note that we were about 900 metres away from the border. When Sa'id was 200 metres away from me, I suddenly heard the sound of bullets, which were fired one after another, from the border towards us. I saw Sa'id raise his hands towards me and fall on the ground. After he fell, the shooting stopped. I hurried to see Sa'id. He was bleeding heavily. As I checked him, I saw a hole in the front part of his neck as well as two other holes in his chest. [...] I stood up and tried to carry him, but I heard the sound of bullets fired towards me and saw bullets hit the sand around me.'

**Extract from Al-Haq Affidavit No. 5057/2009**

Given by Mas'oud Muhammad Jamil Tamboura, a resident of Beit Lahiya town, Northern Gaza Governorate, Gaza Strip.

In another example, on 24 August 2009, a 16-year-old youth, Sa'id al-Hasoumi was shot dead and his 19-year-old cousin, Mas'oud Tamboura was seriously wounded by Israeli gunfire. The two civilians were at a fish market on a beach in Beit Lahiya in the northern Gaza Governorate when without notice or purpose, the soldiers opened fire on them, killing Sa'id and seriously injuring Mas'oud. (See Al-Haq [Affidavit No.](#)

[5057/2009](#)). During this reporting period, a total of seven children were killed in the West Bank and the Gaza Strip.

Other violations against the rights of Palestinian children documented during this reporting period included their **ill-treatment and harrassment**. For instance, on 13 July 2009 Israeli soldiers arbitrarily detained 16-year-old Jamil Abu-Heikal as he met with workers near his home in the Tal al-Rumeida neighbourhood in the old city of Hebron. After the Palestinians presented their ID cards for inspection, the soldiers ordered them to sit on a cactus. When the boy refused, soldiers beat him and brought him to a settlement outpost. Held without charge, he was **assaulted** by settlers after which a soldier blindfolded him and tied his arms behind his back as settlers beat him to the point of unconsciousness. (See Al-Haq [Affidavit No. 5001/2009](#)).

'The two soldiers led me to the entrance of the military post inside the settlement outpost. They forced me to sit behind a large cement block [...] During that time, settlers gathered around, cursing and threatening me. Some settlers kicked me with their feet. The two soldiers who had prevented my mother and cousin from accompanying me arrived. In addition, approximately 40 soldiers came out of the military post and gathered around me. None of the soldiers attempted to keep the settlers from assaulting me. Twenty minutes later, a soldier blindfolded me and tied my hands behind my back. He also ordered me to sit on my knees. During that time, I heard my father and 'Isa 'Amr quarrelling with the soldiers and settlers. Soldiers and settlers then beat me and I fell unconscious for several minutes. Later, I came around and vomited.'

**Extract from Al-Haq Affidavit No. 5001/2009**

Given by Jamil Hani Jamil Abu-Heikal, a resident of Tal al-Rumeida, Hebron city, Hebron Governorate, West Bank.

In another case, on 9 July, during a house raid on his family's home, 16-year-old 'Ahed Da'na was forced into a room by an Israeli officer and questioned about whether there were weapons in the house. The officer left him alone in a darkened room where later, four soldiers came in and severely beat 'Ahed, leaving him with bruises and contusions all over his body and on his head, which required him to seek medical treatment. (See Al-Haq [Affidavit No. 4976/2009](#)).

Another troubling example of human rights abuses documented against Palestinian children involves restrictions on **freedom of movement** and the **denial of access to health care**.

On July 16, Hamza Jaradat, his wife Falastin, and their two-year-old son Anas were denied, for the 15<sup>th</sup> time, the permit they require to travel to Jerusalem to seek medical examination and treatment for Anas, who has suffered from a chronic illness from the time he was six months old. After numerous visits to West Bank hospitals, doctors were unable to diagnose or effectively treat the illness, and the family was advised

to take their son to al-Maqased hospital in Jerusalem. As a result of the travel restrictions imposed on the family, Anas is unable to receive the medical care necessary to improve his condition. (See Al-Haq [Affidavit No. 5007/2009](#)).

### The Occupying Power

During the reporting period, Al-Haq's field researchers documented a particularly high number of incidents involving the **arbitrary arrest and detention** of Palestinians in the West Bank and the Gaza Strip. Israeli occupying forces carried out a number of arrests where Palestinians were detained and not subsequently charged or tried for a specific offense. Such incidents occurred in contexts involving Israeli occupying soldiers, navy officers, and border patrol guards in regions across the OPT. A number of Palestinian civilians, including children, were arbitrarily arrested and detained during the course of ordinary activities such as traveling and fishing, while others were apprehended during home raids.

In a notable example, on 21 July, Israeli navy officers arbitrarily detained Qusay al-Sultan and his cousin, Ra'ed al-Sultan as they fished 300 meters off the coast of al-Waha in Beit Lahiya, Gaza Governorate. Officers onboard Israeli navy ships and a battleship surrounded their fishing boat and ordered the two men to strip, jump into the water, and climb aboard the ship. After both men were handcuffed, blindfolded, interrogated, and beaten by Israeli navy officers, they were transported to Ashdod Port where they were held without charge and interrogated again by Israeli intelligence officers. (See Al-Haq [Affidavit No. 4974/2009](#).)

In another case, Muhammad Srour was detained on 20 July while crossing the King Husein bridge on his way back into the West Bank from Jordan. He was returning from Geneva, where he had testified before a United Nations fact-finding committee on Israel's excessive use of force during demonstrations.

'Our families were detained for almost five hours. Later, soldiers began to withdraw gradually from the house. As they were leaving, I realised that dozens of soldiers had been dispersed inside and around our homes. On their way out, some soldiers demanded that my brother 'Ayyad stand up. They tied his hands behind his back with plastic handcuffs, blindfolded him with a piece of cloth, and took him out to the main street.'

**Extract from Al-Haq [Affidavit No. 4976/2009](#)**

Given by Samer 'Abd-al-Karim Ibrahim Da'na, a resident of Johar Mount, Hebron city, Hebron Governorate, West Bank.

Israeli border guards arrested Muhammad without charge, later transferring him to 'Ofar prison, where he was interrogated and threatened with administrative detention. Muhammad was held for three days before being released on the condition that he report to an Israeli police station every week. (See Al-Haq [Affidavit No. 5027/2009](#)).

Incidents of arbitrary arrests and detention were also documented during **home raids**. On 9 July, Israeli soldiers raided the homes of three Palestinian families in the city of Hebron. The families, comprising of 26 people, including women and children, were detained for several hours in the middle of the night while soldiers searched their homes. Soldiers then arrested without charge two Palestinian men, 'Ayyad Da'na and Muhammad-Akram Da'na, and brought them into Israeli detention (see Al-Haq [Affidavit No. 4976/2009](#)).

On 1 September, in another home raid in Hebron, two Palestinian families, including four young children, were detained outside their homes from 1:30 am until after 3:00 am while soldiers searched their homes and demanded information. (See Al-Haq [Affidavit No. 5067/2009](#))

During home raids, Palestinian residents were subjected to **theft** and **property destruction** by Israeli soldiers. In one such case in Hebron, soldiers damaged the houses of two brothers, Samer and 'Ayyad Da'na. In 'Ayyad's house, a wall of gypsum was destroyed, tiles were removed from floors and walls, and a small table made of marble was damaged. Food in the kitchen had been thrown on the floor and mixed

'There, officers handcuffed and blindfolded me. They also did the same to my cousin Ra'ed. They then asked me for my name, the place of my residence, and what I was doing at sea. While we were handcuffed and blindfolded, officers severely beat me and Ra'ed with their fists and feet for about ten minutes. [...] About 15 minutes later, the battleship stopped. I later discovered that we had moved northwards, towards Ashdod. The officers took my cousin and I to a place where we sat for about half an hour while we remained handcuffed and blindfolded. Some soldiers then took me to a place where they ordered me to sit on a chair. When they removed my blindfolds and handcuffs, I saw that I was in a small room (office), where two persons wearing civil uniforms were sitting at a desk.'

**Extract from Al-Haq [Affidavit No. 4974/2009](#)**

Given by Qusay Muhammad al-'Abd al-Sultan, a resident of Beit Lahiya, Northern Gaza Governorate, Gaza Strip.

together, and a sum of NIS 500 was stolen from a purse. In Samer's house, soldiers also dumped food on the ground and caused damage to basement pipelines, plant beds, and cupboards. Jewellery and a wallet containing Samer's ID card, driver's license, and approximately 450 NIS was stolen. (See Al-Haq [Affidavit No. 4976/2009](#)).

Numerous incidents were documented by Al-Haq field workers concerning the subjection of Palestinians to **humiliation, harassment and assault** by Israeli soldiers and security forces in the West Bank and the Gaza Strip. One such example took place on 10 July at a wall gate located in the Annexation Wall near Barta'a village in Jenin Governorate. A group of six security employees of an Israeli corporation that manages Barta'a gate humiliated and harassed the Qabaha family as they attempted to travel through the

gate on their journey home from a graduation ceremony in Jenin. In addition to subjecting this family to degrading treatment, the security forces also gratuitously assaulted one of the family members, Ramzi Qabaha, who had to seek medical treatment after the incident. (See Al-Haq [Affidavit No. 5011/2009](#)).

'The two officers severely beat me with their feet and rifle butts on all parts of my body, particularly on my feet. As a result, I fell on the ground. The border guard officer demanded that I stand up more than once, but I replied that I could not [...] "If you do not stand up, I will take you to the prison. I will say that you are a member of Hamas and will let the jailers do obscene acts to you" the border guard officer threatened me [...] Meanwhile, I felt dizzy and nearly lost consciousness. Inside the caravan, I managed to climb and sit on a chair. Later, the Border Guard officer who had transported me in the Toyota car took my fingerprints on an electronic device. He also took hold of my hand, forcing me to sign my name on a paper, the content of which I do not remember.'

**Extract from Al-Haq Affidavit No. 5021/2009**

Given by Tha'er Bader 'Isa Jaradat, resident of al-'Udeisa area, Sa'ir town, Hebron Governorate, West Bank.

Palestinians arrested by the Israeli occupying forces were regularly subjected to **beatings and ill-treatment**. In a typical example, on 8 August near the area of al-Ram north of Jerusalem, Israeli soldiers severely beat Tha'er Jaradat after he was caught crossing over a wall gate to enter Israel to work. Tha'er was threatened,

fingerprinted, and made to sign a document he did not read after which he was left at Qalandiya checkpoint. Tha'er sustained fractures in his legs. (See Al-Haq [Affidavit No. 5021/2009](#)).

The ill-treatment of Palestinians arrested and detained by the Israeli occupying forces sometimes amounted to **torture**. For instance, on 21 July, Israeli soldiers arbitrarily arrested Munir Froukh during a raid on his house in Ras al-'Aroud, in Hebron Governorate. Munir was brought to 'Etzion Detention Camp where, in spite of Munir's serious medical condition, Israeli soldiers severely beat him and demanded that he confess to throwing stones. After spending eight days in detention and being repeatedly physically abused during this period, Munir had to be hospitalised as a result of the injuries he sustained. (See Al-Haq [Affidavit No. 5032/2009](#)).

'Five minutes later, an interrogator came in and asked what I would say. I replied that I had not thrown stones. As he talked to me, I felt that he was aggressive and I expected that he would beat me. I requested that he not beat me because I had had a surgical operation in the stomach. He lifted up my shirt and inspected the place where the surgery had been conducted. Suddenly, he punched me in the face and kicked me with his foot on the bottom of my stomach. I felt severe pain and fell on the ground. [...] he forced me to stand and continued to beat me. I felt that blows were many and fast. I realised that more than one person was beating me at the same time. I was beaten at intervals; those persons would beat me for some time and then come back to me again in the same manner (kicks, punches and pushes-to-the wall). [...] the interrogators continued to beat me and told me they would not stop unless I confessed.'

**Extract from Al-Haq Affidavit No. 5032/2009**

Given by Munir Zeid 'Isa Froukh, a resident of the Ras al-'Aroud area, Sa'ir town, Hebron Governorate, West Bank.

In some cases, detained Palestinians were **harrassed** and bribed to provide information to Israeli intelligence officers. In a notable example, on 21 July 2009 two fishermen, Qusay al-Sultan and his cousin, Ra'ed al-Sultan, were detained and interrogated by Israeli intelligence officers. During the interrogation, both men were bribed to provide information on Hamas in the Gaza Strip in exchange for a large sum of money, the return of their fishing boats and nets, and their release from detention. (See Al-Haq [Affidavit No. 4974/2009](#)).

During this period Al-Haq also documented numerous instances involving **excessive use of force** by the Israeli occupying forces. In a notable example, on 31 August, Israeli navy ships opened fire on a number of Gazan fishing boats that were located one kilometre from the Northern territorial waters of Israel and 700 metres from the beach of al-Sudaniyya. The boats were within the three nautical mile fishing limit

'When I looked back, I saw two navy boats with Israeli flags. They stopped at a distance of almost ten metres away from our boat. On each boat, I saw five soldiers carrying submachine guns and wearing green military uniforms. The Israeli soldiers opened heavy fire on our boats. [...] Despite the fact that we waved to soldiers with our clothes so that they would not open fire, they fired several bullets on our boat [...] Suddenly, I saw a soldier on board the boat carry a mortar and put it inside a projectile. He pointed the projectile towards our boat and launched the mortar. The burning mortar landed in the middle of our boat, setting it on fire. My colleagues and I were standing on the edge of the boat. We jumped into the sea and swam to Ayman 'Ali al-Habil's fishing boat, which was 20 metres away, and climbed aboard.'

**Extract from Al-Haq Affidavit 5050/2009**

Given by Adham Khaled Ibrahim al-Habil, a resident of al-Shate' refugee camp, Gaza Governorate, Gaza Strip.

unilaterally imposed on Palestinian fishermen by Israel. In addition to using submachine guns to open fire on the boats, the Israeli navy launched a mortar at one of the boats, setting it alight. While an Israeli navy boat attempted to use a small water pipe to quench the fire, the boat, valued at USD 60,000, was completely destroyed. (See Al-Haq [Affidavit no. 5050/2009](#)).

Another example involving the excessive use of force by the Israeli occupying forces took place on 27 September, when clashes broke out between Palestinians and Israeli police officers outside Al-Aqsa Mosque in East Jerusalem. Dozens of police officers

used rubber-coated steel bullets and tear gas grenades to disperse protesters. During the incident, 19-year-old Rami al-Fakhouri was seriously injured, losing his left eye. After sustaining his injury, Rami had to wait for an hour and a half before he could be carried 150 meters to an ambulance stationed at the Lion's Gate entrance to the Old City, as the Israeli occupying forces would not permit the entry or exit of ambulances to the Al-Aqsa Mosque compound. (See Al-Haq [Affidavit No. 5090/2009](#)).

**Restrictions on the freedom of movement** of Palestinians' constitute one of the most widespread forms of human rights violations documented during the reporting period. Checkpoints and wall gates, a number of which are now being operated by private security companies contracted by the Israeli Ministry of Defense, in addition to various kinds of roadblocks, continue to prevent Palestinians from moving freely within the West Bank. Moreover, the Annexation Wall, 87% of which is built on land confiscated from Palestinians, divides the West Bank into enclaves, prevents Palestinians from reaching their land and/or homes and creates irreversible facts on the ground.

In many areas, the only way for Palestinians to reach their lands and homes is by passing through gates in the Wall, which require permits issued by the Israeli military authorities. Essentially, restrictions on freedom of movement result in violations to other protected rights, as they greatly hinder Palestinians' access to their families, agricultural lands, places of employment and worship, markets and educational and health care institutions.

In a typical example of movement restrictions resulting in denial of the right to **health**, 'Ammar 'Abu-Warda, a Palestinian suffering from cancer, was, on three separate occasions, denied a permit to travel from Gaza to Israel to access medical treatment. 'Ammar is unable to access treatment in

Gaza due to the shortages of medicine and medical equipment in hospitals resulting from the Israeli siege imposed on the Strip. On a number of occasions, 'Ammar was contacted by telephone by an Israeli intelligence officer who attempted to blackmail him into cooperating with Israeli intelligence in exchange for help in obtaining a permit to access Israel for medical treatment. When he refused to cooperate, his repeated requests for travel permits were denied and he was forced to suspend his medical treatment. (See Al-Haq [Affidavit No. 5054/2009](#)).

'Later, I received a call on my personal cellular telephone from an Israeli Intelligence officer, who claimed that his name was Moshe. He requested that I give him information about the area where I lived as well as information about what was going on in the area. He asked me about what people talked about. Before I attended the scheduled interview with the Israeli Intelligence, "Moshe" called me four additional times on my telephone, on various days. He demanded that I cooperate with the Israeli Intelligence and provide information in return for helping me obtain a permit to access Israel and receive medical treatment. He said that the best physicians in Israel would follow up on my condition and provide all services necessary for my treatment at the expense of the Israeli Intelligence. The last time he called me, he demanded that I take the initiative and make telephone calls.'

**Extract from Al-Haq Affidavit No. 5054/2009**

Given by 'Ammar 'Abd-al-Rahman Rajab Abu-Warda, a resident of Jabaliya refugee camp, Northern Gaza Governorate, Gaza Strip.

A number of incidents involving **settler violence** against, and intimidation of, Palestinians in the West Bank were once again documented by Al-Haq's field researchers, indicating the continuation of this trend. In one particular incident on 23 July, a group of approximately 15 armed settlers, in the presence of Israeli police and an Israeli military patrol, harassed residents of the village of 'Asira al-Qibliyya, near Nablus by

Meanwhile, the soldiers continued to fire tear gas and sound grenades. Half an hour later, my brother 'Abd-al-Rahman and his family of ten members, including women and children, were shouting for help. Myself and many other village residents ran towards 'Abd-al-Rahman's house. There, I saw my mother, Thaqila (about 75-years-old) unconscious. A few other persons and I carried her outside of the house. Other people brought the rest of my brother's family outside the house. A medic offered first aid to my mother and my brother's family. They were all suffering from shortness of breath. [...] I do not exaggerate when I say that approximately 70 tear gas and sound grenades were fired within one hour towards our houses and at the village youths who were present in the area. Meanwhile, settlers continued to throw stones at our houses. The soldiers never prevented them from doing so over the time mentioned. As was evident, the soldiers were aiming to prevent any young persons from the village from being present in the area. An hour later, the soldiers had managed to prevent the village youths from staying near our houses. Even we ourselves – the house owners – had to escape and leave our houses due to the intense smell of the tear gas.'

**Extract from Al-Haq Affidavit No. 4997/2009**

Given by 'Abd-al-Baset Muhammad 'Abd-al-Rahman Ahmad, a resident of 'Asira al-Qibliyya Village, Nablus Governorate, West Bank.

surrounding and throwing stones at their homes. Rather than pursuing the settlers who were intimidating the villagers, Israeli occupying forces used tear gas and grenades to disperse the village youth who had come to the aid of the home owners. (See Al-Haq [Affidavit No. 4997/2009](#)).

Incidences of settler violence against Palestinians were also recorded in Hebron. In one case a Palestinian man, Nitham al-'Azazma, while walking to his home in the Abu-Sneineh neighbourhood near the Beit Hadass settlement outpost, was attacked and beaten by a group of settlers. When the Israeli army and police arrived they failed to pursue the attackers, allowing them to escape (see Al-Haq Affidavit No. 5016/2009). The Israeli occupying force's failure to question or apprehend the perpetrators or to investigate the incident further demonstrates a wider trend of impunity, where the systematic refusal of

the Israeli occupying forces to prevent or punish criminal behaviour results in the encouragement of continued settler violence.

Al-Haq's monitoring and documentation department also collected field reports that highlight the negative impact that **Israeli settlements** in the OPT are having on Palestinian environment, land, water, crops and on Palestinians' livelihood and health.

In one such example, the discharge of Israeli waste water from the Bitar 'Illit settlement continues to pollute the 'Ein Fares spring, the primary source of water for Nahhalin village. The discharge of settler waste water contaminates the land and agricultural crops in the area and adversely affects the human rights of the Palestinians residing in this village, including the local residents' rights to an adequate standard of living and to health. The problem has been occurring since 1986 and despite the fact that the village has filed complaints to all respective authorities, nothing has been done by the Israeli occupying forces to address this damaging situation. (See Al-Haq [Affidavit No. 5003/2009](#)).

'Since 2005, I have been monitoring this issue. Three pump stations inside the settlement discharge wastewater through pipes measuring approximately 24 inches in diameter into the areas of 'Ein Fares, Wadi Sakran and Wadi al-Hala. [...]The wastewater current usually extends for a kilometre and a half in length in the midst of farmland, contaminating all agricultural crops as well as 'Ein Fares spring. The spring has now been polluted. Even animals do not drink from it. [...] In 2009, settlers continued to discharge wastewater at a similar pace – once or twice a month. In June 2009, wastewater was released on two occasions. I estimate that approximately 70 dunums of land were contaminated by wastewater. Therefore, the village residents had to uproot crops, including vegetables, grapevines and olive trees, rendering the whole area wasteland.'

**Extract from Al-Haq Affidavit No. 5003 /2009**

Given by 'Ali Muhammad Taha Fannoun, a resident of Nahhalin village, Bethlehem Governorate, West Bank.

Throughout the West Bank, the Israeli Occupying Power continued to implement its policies of **land destruction and confiscation** in order to either expand or enclose existing illegal Israeli settlements or to build Israeli infrastructure such as, for example, the Annexation Wall. When completed, the length of the Wall, which cuts deep into the West Bank in numerous locations, will extend 722 kilometres, a distance almost twice the length of the Green Line (315 kilometres), the 1949 Armistice line that separates Israel and the West Bank.

During the reporting period the Occupying Power issued confiscation orders for approximately 115 dunums of privately-owned Palestinian agricultural and forested land in Ya'bad village, near Jenin (see [Al-Haq Affidavit No. 5059/2009](#)). These orders are in addition to confiscation orders for 150 dunums of land in the same area that were issued in May of this year. The objective of such confiscation orders remains unknown as this land is not near an Israeli settlement or a military outpost. While the villagers have commenced a legal challenge against the orders, previous patterns have shown that such challenges are ultimately unsuccessful. As such, although not yet executed, the military orders pose a tangible threat to the Palestinians in question, and are likely to deprive them of their main source of income.

Another ongoing and widespread trend documented during the reporting period was the ordering and execution of **house demolitions** resulting in the displacement of Palestinians residing in the West Bank, particularly in and around East Jerusalem.

Under Israeli planning laws, the Jerusalem municipality allocates approximately 13% of land in East Jerusalem permission for Palestinian construction, most of which has already been built on. The Occupying Power's unwillingness to provide adequate planning schemes for Palestinian neighbourhoods and its persistent refusal to grant building permits in East Jerusalem has put hundreds of Palestinians at risk of pending demolition orders that result in their displacement.

Due to these policies, it is almost impossible for Palestinians to acquire the required building permits, and most Palestinians are compelled to build without the required licence. Consequently, more than a quarter of all homes in East Jerusalem have been built without a permit and may therefore be subjected to demolition orders.

In a typical example, 'Ala' al-Shuweiki, was served with a demolition order in February 2008 and had to pay a fine of NIS 28,000. Despite making several applications to the municipal authorities to gain the correct permit, all of 'Ala's applications were unsuccessful because his land was zoned "green land", on which houses cannot be built. In December, the family was issued a second demolition order, which was upheld by the municipal court. On 13 July 2009 'Ala' and his family of eight were given just ten minutes to vacate the home they had lived in for ten years before it was demolished along with much of their personal belongings. Moreover, 'Ala must continue to pay the 28,000 NIS fine. (See [Al-Haq Affidavit No. 5089/2009](#)).

In another example of the issuance of house demolition orders to Palestinians, the 'Ali Khater family, who had just bought and moved into a new house located in Ras Khamis - an area behind the Annexation Wall but still considered to be within the borders of the Jerusalem municipality - were issued with a demolition order in April. At that time, 55 demolitions orders were also issued to other residents of this area by the Israeli authorities. On September 3, the municipal court postponed the demolition date for six months, until February 2010. However, as the family and other residents attempt to launch further legal challenges against the order, they continue to live with the fear of displacement and the very real risk of home demolition. (See [Al-Haq Affidavit No. 5020/2009](#)).

'At around 7:00 am on 13 July 2009, my family and I woke up to Israeli border guard officers shouting and demanding that we get out of the house. When I went outside, I saw dozens of Israeli police, border guard and Special Forces officers. "Get out of the house. You have ten minutes to take out what you need from the house" they demanded. "My house is full. We have been living here for ten years. Eight persons are living in this house. How can I empty it in ten minutes?" I asked the officer. "You were already given notice. You could have vacated it a long time ago. I don't have time to wait for you" The officer replied. However, he said he would bring in some workers to help me. Indeed, four Israeli workers arrived. They threw pieces of furniture out of the house in a harsh and careless manner, damaging most of it. Half an hour later, when I saw the bulldozer starting to demolish my house, I lost my temper, especially because most of the furniture was still inside the house. I sat on the floor, refusing to leave. The soldiers and policemen grabbed me by my shoulders and pulled me outside of the house.'

**Extract from Al-Haq Affidavit No. 5089/ 2009**

Given by 'Ala' 'Abd-al-Razeq 'Abd-al-Hamid al-Shuweiki, a resident of Beit Hanina al-Jadida town, Jerusalem Governorate, West Bank.

## The Palestinian National Authority and the Hamas De Facto Authority in the Gaza Strip

Members of the PNA in the West Bank as well as officials of the Hamas *de facto* authority in the Gaza Strip have continued to engage in human rights abuses as they employ systematic policies of **arbitrary arrest and detention**, which often involve the subjection of Palestinians to **torture** and other forms of abuse and **ill-treatment** including **beatings** and **harassment**, and restrictions on Palestinians **freedom of movement**. Most of the human rights violations documented during this reporting period relate to the ongoing tension between the opposing political factions in the OPT, and demonstrate the nexus between violations and political affiliation.

Al-Haq's field researchers documented a number of incidents involving the **arbitrary arrest and detention** of Palestinians in the West Bank and Gaza Strip, illustrating the ongoing policy of arbitrarily arresting and detaining Palestinians on the basis of their alleged or expressed political opposition. A typical example took place on 2 August, when eleven people were arrested and detained on the basis of their membership of Fateh. (See Al-Haq [Affidavit No. 4999/2009](#)).

'At that time, the interrogator took me to another interrogation office, with a bed inside. He forcefully tied my hands behind my back with iron handcuffs, ordered me to lie on the bed and take off my shoes and stockings and he asked me many questions. Then, he subjected me to a *falaka* (foot-whipping) with a plastic pipe. He beat the soles of my feet 15 times. Later, the interrogator ordered a security officer to subject me to *shabeh*. I screamed of the pain I felt in my hands and feet as I walked out of the interrogation room.'

Extract from Al-Haq [Affidavit No. 4990/2009](#)

Given by 'Imad Husam Muhammad Jawabra, a resident of 'Asira al-Shamaliya town, Nablus Governorate, West Bank.

by Palestinian Authority Intelligence officers while he was detained at the al-Jneid prison in Nablus during the reporting period. (See Al-Haq [Affidavit No. 4990/2009](#)).

The physical abuse of detainees in Palestinian prisons and detention centres is widespread and in one instance, may have contributed to the **death in custody** of Fadi Hamarna, a 27-year-old from 'Asira al-Shamaliya village in Nablus Governorate. During his detention in al-Jneid prison, Fadi and other prisoners were continuously subjected to ill treatment including beatings, prolonged periods of solitary confinement, sleep deprivation, and *shabeh*. On 9 August, after 55 days in detention, Fadi was found dead in his cell as a result of self-inflicted hanging. An Al-Haq investigation into the incident found that the circumstances of Fadi's death, particularly his continuous ill treatment while in detention, could not exempt the General Intelligence Services from legal responsibility for the suicide.<sup>3</sup>

'Then, they led me to an adjacent place, where I was subjected to *shabeh* once again. More than one person also beat me with their fists and feet. I was interrogated about my work as a member of the Leadership Office in the Fateh movement and about the Fateh Sixth Conference. I was also questioned about persons who left Gaza for the West Bank in order to attend the Conference and was asked how they managed to leave the Gaza Strip. In addition, interrogators asked me about my relationship with Ramallah and the Palestine television station as well as about the people I dealt with. During the interrogation, I was subjected to a *Shabeh* position and beaten. Two hours later, I threw up blood and collapsed. At the end of the interrogation, a person hit my head against the wall several times, after which I fell unconscious for a while.'

Extract from Al-Haq [Affidavit No. 4999/2009](#).

Given by Khaled Sa'd Jum'a al-Masri, a resident of Beit Lahiya town, Northern Gaza Governorate, Gaza Strip.

In many of the documented cases, detained Palestinians were subjected to *shabeh*, which involves forcing detainees to remain in painful stress positions for prolonged periods of time and is considered a method of **cruel and degrading treatment** which may, at times, constitute **torture**. Detainees were also forced to endure other forms of **ill-treatment**, including various methods of physical and psychological abuse. In a notable example, 'Imad Jawabra was repeatedly subjected to *shabeh*, sleep deprivation, and physical beatings

'At around 8:00 am, I heard security officer Ibrahim Salahat call Fadi, but no one answered. As I looked through the hole in the door, I saw the security officer hurry out and shout for the interrogator. "Come. He hanged himself!" Salahat shouted. I saw Muhammad al-Nabhan, an interrogator, hurry to Fadi's room. [...] I was allowed out a short while later. [...] When I arrived, I saw Fadi lying on his back on the ground. Immediately, I placed my ear on his heart, which was not beating. The interrogator demanded that we splash water on Fadi, but we said he was dead. After a few moments, a physician from the Military Medical Services arrived and examined Fadi. He said that Fadi had died a while earlier, as his dead body was cold.'

Extract from Al-Haq [Affidavit No. 4990/2009](#).

Given by 'Imad Husam Muhammad Jawabra, a resident of 'Asira al-Shamaliya town, Nablus Governorate, West Bank.

<sup>3</sup> For Al-Haq's full report on the investigation please see: <http://www.alhaq.org/pdfs/AL-HAQ%20Investigation%20Results%20Fadi%20Hamadneh%20English%20Translation.pdf>

Al-Haq field workers also documented violations relating to **harrassment**, **assault** and **persecution** based on political affiliations to Fateh that had been carried out by Hamas Police forces in Gaza. For example, on 14 July 2009 the wedding of Yousef al-Madhoun, whose relatives are known Fateh activists, was interrupted by armed police officers from Hamas who subjected several of the guests to beatings and assaults with rifles and clubs. Hamas police opened fire indiscriminately in the air and at a house near the wedding party resulting in the injury of four of the wedding guests, including two women. (See Al-Haq [Affidavit No. 4989/2009](#)).

Al-Haq also recorded other violations due to political affiliation, such as **restrictions on freedom of movement**. For example, a group of four Palestinian members of Fateh, who are leading feminists, were prevented from traveling to the West Bank to attend and participate in the Fateh Sixth Conference taking place in early August. On 26 July 2009 the police agency of the Hamas de-facto authority denied this group permission to leave Gaza, despite their having already fulfilled the necessary coordination with the occupying authorities. The group was ordered to report to Hamas' Internal Security agency without stating any reasons for the summons. (See Al-Haq [Affidavit No. 4988/2009](#)).

'Suddenly, three cars transporting Hamas police officers armed with weapons and clubs arrived. The police officers assailed the audience and opened fire indiscriminately in the air, and also at the house of 'Abd-al-Hakim al-Madhoun, the bridegroom's father. In an attempt to solve the problem, I approached the police force commander to ask about the reason for their presence, trying to solve the problem calmly. However, a police officer hit me on the head with his weapon and I fell on the ground. Later, more armed police officers arrived and assaulted the audience. They severely beat attendees with clubs and rifle butts. They also tore apart pictures, damaged chairs, and chased away the participants in the wedding party, dispelling the crowd. During this time, I collapsed on the ground, bleeding from my head.'

**Extract from Al-Haq [Affidavit No. 4989/2009](#).**

Given by Rabah Ibrahim Salim al-Madhoun, a resident of Beit Lahiya Housing Project, Northern Gaza Governorate, Gaza Strip.

**MONITORING AND DOCUMENTATION DEPARTMENT**  
**01JULY-30SEPT 2009**  
**STATISTICS**

**THE WEST BANK**

**KILLINGS BY THE OCCUPYING POWER**

<b>Total number of killings</b>	<b>6</b>
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**Special Types of Killings**

Death in custody	-
Targeted assassination	-
Death at checkpoints	-
Women	-
Children	3

**Killings by District**

Bethlehem	1
Hebron	1
Jenin	1
Jericho	-
Jerusalem	1
Nablus	-
Ramallah	1
Toulkarem	-
Inside Israel	1
<b>Total</b>	<b>6</b>

**Killings by Age Group**

12 or younger	-
13-17	3
18-25	2
26-35	1
36-50	-
Over 50	-
<b>Total</b>	<b>6</b>

### Killing by Perpetrator

Israeli Occupying Forces	
- Soldiers	5
- Special undercover units	-
- Snipers	-
Israeli Border Guards	-
Israeli Policemen	-
General Security Services	-
Settlers	-
Armed Israeli civilians	1
Collaborators	-
Others	-
<b>Total</b>	<b>6</b>

### Situation during Killing

Normal/calm	6
Incursion	-
Demonstration and stone-throwing	-
Armed clashes	-
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Unclear	-
Curfew	-
Raid	-
<b>Total</b>	<b>6</b>

### Methods of Killing

Live bullet	4
Fragmented bullet	-
Rubber-coated metal bullet	-
Explosives and small missiles	1
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	-
Missile	-
Medical Obstruction	-
Others	1
<b>Total</b>	<b>6</b>

## HOUSE DEMOLITIONS BY DISTRICT

### Punitive House Demolitions

Bethlehem	-
Hebron	-
Jenin	1
Jericho	-
Jerusalem	-
Nablus	-
Ramallah	-
Toulkarem	-
Qalqiliya	-
<b>Total</b>	<b>1</b>

### House Demolitions for Lack of Licence

Bethlehem	-
Hebron	4
Jenin	-
Jericho	-
Jerusalem	6
Nablus	-
Ramallah	-
Toulkarem	-
<b>Total</b>	<b>10</b>

## CURFEWS BY DISTRICT

District	Hours
Bethlehem	-
Jenin	-
Nablus	-
Toulkarem	-
Jerusalem	-
Ramallah	-
Hebron	-
Jericho	-
<b>Total</b>	<b>-</b>

## GAZA STRIP

### KILLINGS BY THE OCCUPYING POWER

<b>Total of Killings</b>	<b>16</b>
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<b>Special target groups</b>	
Targeted assassination	1
Women	1
Children	4

### Killings by District

Gaza	6
North Gaza	5
Rafah	3
Khan Younes	1
Central district	1
<b>Total</b>	<b>16</b>

### Killings by Age Groups

12 or younger	-
13-17	4
18-25	8
26-35	3
36-50	1
Over 50	-
<b>Total</b>	<b>16</b>

### Killing by Perpetrator

Israeli Occupying Forces	-
- <b>Soldiers</b>	<b>16</b>
- <b>Special undercover units</b>	-
- <b>Snipers</b>	-
Israeli Border Guards	-
Israeli Policemen	-
General Security Services	-
Settlers	-
Armed Israeli civilians	-
Collaborators	-
<b>Total</b>	<b>16</b>

### Situation During Killing

Normal/calm	15
Incursion	-
Demonstration and Stone-Throwing	-
Armed clashes	-
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Curfew	-
Sustained injury during Operation Cast Lead	1
<b>Total</b>	<b>16</b>

### Methods of Killing

Live bullet	3
Fragmented bullet	-
Rubber-coated metal bullet	-
Explosives and small missiles	13
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	-
Missile	-
Medical Obstruction	-
Others	-
<b>Total</b>	<b>16</b>